

Determination by Private Rented Housing Committee

Statement of Decision of the Private Rented Housing Committee

(Hereinafter referred to as "the Committee")

Under Section 24(1) of the Housing (Scotland) Act 2006

Case Reference Number: PRHP/RP/14/0116

Re: Property at 189 Curtis Avenue, Glasgow, G44 4NN

The Parties:-

Ms Debbie Webster formerly residing at 189 Curtis Avenue, Glasgow, G44 4NN ("the former Tenant")

Mr Brian Rooney residing at 24 Provost Kay Park, Victoria Road, Kirkcaldy, KY1 2RD per his agents, Allied Homes, 266 Alison Street, Glasgow, G42 8RT ("the Landlord")

Land Register title number: GLA35658

The Committee comprised:-

Mr James Bauld

Chairperson

Mr Michael Links

- Surveyor member

Decision:-

The Committee unanimously decided that the property complied with the repairing standard set out in section 14 of the Housing (Scotland) Act 2006 ("the 2006 Act") and that the landlord had not failed to comply with any of the duties imposed upon the landlord by section 14 of the same Act and that the application should be dismissed.

Background:

- 1. An inspection and hearing took place in this case on 13th May 2015. Subsequent to that inspection and hearing the Committee issued a Direction on 12th June 2015.
- 2. A further Direction was issued on 21st December 2015 granting the landlord further time to carry out certain works and to provide certain evidence to the Committee.
- Subsequent to the issue of that Direction, a number of emails were received from the landlord's agent. On 25th February 2016 the surveyor member of the Committee re-inspected the property. The surveyor member reported that in his opinion the property now met the

repairing standard with regard to the issue of damp which had previously caused concern to the Committee.

- 4. The re-inspection report was circulated to the landlord's agents who confirmed their agreement with the terms of the report.
- 5. The Committee, having carried out an inspection of the property and having perused the documents received from the landlord, took the view that the property was now generally in a reasonable state of repair and that it met the repairing standard.
- 6. The Committee accordingly decided unanimously to dismiss the application.

Rights of Appeal

- 8. A landlord or tenant aggrieved by the decision of the Committee may appeal to the Sheriff by summary application within 21 days of being notified of that decision.
- 9. The appropriate respondent in such appeal proceedings is the other Party to the proceedings and not the PRHP of the Committee which made the decision.

Effects of Section 63

- 10. Where such an appeal is made, the effect of the decision and of any Order made in consequence of it is suspended until the appeal is abandoned or finally determined.
- 11. Where the appeal is abandoned or finally determined by confirming the decision, the decision and the Order made in consequence of it are to be treated as having effect from the day on which the appeal is abandoned or so determined.

Date 22 April 2016

Date 22 April 2016

	Jim	Bauld	
Signed			

James Bauld, Chairperson

C Mullen

Signature of Witness..

Name: CLAIRE MULLED

Address: 7 West George Street, Glasgow, G2 1BA

Designation: SourTol