



Notice of a decision to Vary

A Repairing Standard Enforcement Order

Ordered by the Private Rented Housing Committee

prhp Ref: prhp/rp/14/0256

Re : Property at 51 Kinnessburn Road, St Andrews, KY16 8AD ("the Property")

Land Register No: FFE51044

The Parties:-

Mr Thomas Lockyer, The Hills Farm, Downton Hall Estate, Middleton, Ludlow, SY8 3DY ("the former Landlord") represented by Sara Chance, Middleton Court, Middleton, Ludlow, SY8 2DZ ("the Former Agent")

Zoe Portman(New Owner)

Miss Hannah Lafferty, formerly of 51 Kinnessburn Road, St Andrews ("the former Tenant")

Zoe Annette Louisa Portman, David Andrew Portman and Eden Iona Portman, 77 Onslow Road, Richmond TW106QA (New Owner)

NOTICE TO : Zoe ,David and Iona Portman(New Owner)

The Private Rented Housing Committee having determined on 12 July 2016 that the Repairing Standard Enforcement Order relative to the Property served on 27 May 2015 should be varied, the said Repairing Standard Enforcement Order is hereby varied with effect from the date of service of this Notice in the following respects:-

1. The period allowed for the completion of the work required by the order is extended for a further three months

Subsection 25(3) of the Housing (Scotland) Act 2006 does apply in this case.

A landlord or a tenant aggrieved by this decision of the Private Rented Housing Committee may appeal to the Sheriff by summary application within 21 days of being notified of that decision.

Where such an appeal is made, the effect of the variation is suspended until the appeal is abandoned or finally determined, and where the appeal is abandoned or finally determined by confirming the decision, the variation will be treated as having effect from the day on which the appeal is abandoned or so determined.

In witness whereof these presents type written on this and the preceding page(s) are executed by Judith lea, solicitor, Unit 3.5, The Granary Business Centre, Coal Road, Cupar, Fife, chairperson of the Private Rented Housing Committee at Cupar on 20 July 2016 before this witness:-

R Graham

witness

J Lea

chairman

RACHEL GRAHAM

name in full

UNIT 3.5 THE GRANARY

Address

BUSINESS CENTRE, COAL ROAD

CUPAR, FIFE

OFFICE MANAGER .

Occupation



**Statement of decision of the Private Rented Housing
Committee under Section 24 (1) of the Housing
(Scotland) Act 2006**

prhp Ref: prhp/rp/14/0256

Re : Property at 51 Kinnessburn Road, St Andrews, KY16 8AD ("the Property")

Land Register No: FFE51044

The Parties:-

Mr Thomas Lockyer, The Hills Farm, Downton Hall Estate, Middleton, Ludlow, SY8 3DY ("the Former Landlord") represented by Sara Chance, Middleton Court, Middleton, Ludlow, SY8 2DZ ("the Former Agent)

Zoe Annette Louisa Portman, David Andrew Portman and Eden Iona Portman, 77 Onslow Road, Richmond TW106QA (New Owner)

Miss Hannah Lafferty, formerly of 51 Kinnessburn Road, St Andrews ("the former Tenant")

1. The Private Rented Housing Committee, comprising Judith Lea, Chairman and Legal Member; Geraldine Wooley, Surveyor Member; and Susan Shone, Housing Member, issued a Repairing Standard Enforcement Order in respect of the property on 13 May 2015 requiring the former landlord to take appropriate steps to eradicate the damp problem in the walls of the property in the following locations :- a) The damp in the wall between the living room and the kitchen and b) The damp in the wall between the two main bedrooms.
2. After the RSEO was served ,the property was purchased by the New Owner with the intention of upgrading the property to provide accommodation for her daughter.
3. The Surveyor member of the Committee re inspected the property on 7 June 2016 .Zoe Portman was in attendance.The New Owner has partially replastered the wall in the kitchen which now feels dry to touch. Damp meter readings taken from the new plasterwork confirm it has dried out in places.The wall to kitchen has been partially replastered and now feels dry to the touch (photo 1a). Damp meter readings taken from the new plasterwork confirm it has dried out in places (photo 1b). However, damp meter readings in the side of the wall closer to the window (and under the capped-off chimney photo 3a) remain high, indicating that there is still moisture in the plasterwork in places (photo 1c).
In the room adjoining this wall (now a bedroom) the chimney breast has been removed, the wall dry lined, with no signs of further damp penetration (photo 1d) In the bedroom adjoining the sitting area (previously a bedroom) the plasterwork has been repaired (photo 2a), but damp meter readings remain at a level which indicates that there is still damp in the

walls (photo 2b). Again, this location is under a capped-off chimney in the wall which adjoins the neighbouring property (photo 3b)

The roof has been stripped, inspected (confirming there are no pipes or internal gutters which might be causing the damp problem) and re-felted.

The parapets are under repair and new coping stones will be fitted.

The capped off chimneys are not ventilated and may be the source of the dampness.

4. The Committee were accordingly satisfied that extensive works are being done to rectify the damp problem. Works to the roof are still in progress and once finished the property will need a further period of drying out before the damp is entirely eradicated.

5. The Committee accordingly varied the RSEO to allow a further 3 months for the Order to be complied with.

Right of Appeal

4. **A landlord or tenant aggrieved by the decision of the Private Rented Housing committee may appeal to the Sheriff by summary application within 21 days of being notified of that decision.**

Effect of section 63

5. Where such an appeal is made, the effect of the decision and of the order is suspended until the appeal is abandoned or finally determined, and where the appeal is abandoned or finally determined by confirming the decision, the decision and the order will be treated as having effect from the day on which the appeal is abandoned or so determined.

J Lea

Signed Date 20 July 2016
Chairperson

APPENDIX 1: Photographs

Property: 51 Kinnessburn Road, St Andrews KY16 8AD

- 1) Works to the wall between the kitchen and (former) living room (RSEO Item 1)

Photo 1a: kitchen wall



Photo 1b: damp meter reading at left of 1a (normal moisture level)



Photo 1c: damp meter reading at right of 1a (high moisture level)



Photo 1d: new wall adjoining kitchen

2) Work to wall between bedroom and sitting area (RSEO item 2)

Photo 2a: replastered bedroom wall



Photo 2b: meter reading in bedroom wall (high moisture level)



3) Roof repairs

Photo 3a: roof re-felting and on-going repairs to parapet and chimney breast above kitchen (RSEO item 1)



Photo 3b) on-going repairs to parapet above bedroom (RSEO item 2)

6.