

Ref: PRHP/RP/15/0125



**NOTICE OF A DECISION TO REVOKE**

**A REPAIRING STANDARD ENFORCEMENT ORDER**

**ORDERED BY THE PRIVATE RENTED HOUSING COMMITTEE**

**Re: Property at flat 1/2, 26 Park Avenue, Dundee, DD4 6LU, as more particularly described in the Title in favour of the Landlord registered in the Land Register on 15 September 2006 under Title Number ANG32910 ("the House")**

**The Parties:-**

**Grazyna Kowalewska and Anna Misztal, formerly residing at the House ("the Tenants")**

**and**

**Caledonian Investments No.1 LLP, c/o Pavillion Properties (Scotland) Limited, 86 Bell Street, Dundee, DD1 1HN ("the Landlord")**

**Committee: Mr Maurice O'Carroll (Chairperson)  
Mr David Godfrey (Surveyor Member) and  
Mrs Susan Shone (Housing Member)**

**NOTICE TO: Caledonian Investments No. 1 LPP, the Landlord**

The Private Rented Housing Committee having determined that the work required by the Repairing Standard Enforcement Order relative to the Property is no longer necessary, the said **Repairing Standard Enforcement Order is hereby revoked with effect from the date of service of this Notice.**

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

Where such an appeal is made, the effect of the decision and 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.

Signe  
Mauri

M. O'Carroll

Date: 16 October 2015

E. Richards

..... witness:

do EURORA HOUSE 450 ARCADE ST. Address:  
GLASGOW.



**Statement relative to the Notice of the Decision to Revoke**

**The Repairing Standard Enforcement Order**

**Ordered by the Private Rented Housing Committee**

**Re: House at 26 Park Avenue, Dundee DD4 6LU as more fully described in the relative Notice ("the House")**

**Case Ref: PRHP/RP/15/0125**

**The Parties:-**

**Application received from Grazyna Kowalewska and Anna Misztal ("the Tenants")**

**Caledonian Investments No.1 LLP, as designated above ("the Landlord")**

**Committee: Mr Maurice O'Carroll (Chairperson), Mr David Godfrey (Surveyor Member) and Mrs Susan Shone (Housing Member)**

**Decision**

**The Committee unanimously, having made such enquiries as it saw fit for the purpose of determining whether the Repairing Standard Enforcement Order ("RSEO") relative to the House should be revoked in terms of section 25 of the Housing (Scotland) Act 2006 agreed that the RSEO should be revoked.**

1. The RSEO relative to the House required the Landlord to:
  - (i) To replace the misted double glazed window units and window frames in the main bedroom to the front of the House and in the living room so that they are in a reasonable state of repair and in proper working order.
  - (ii) To repair the ceilings in the kitchen and bathroom of the House.

- (iii) To repair the window on the first stair landing in the common stairwell, and
  - (iv) To provide the Committee with a copy of an up to date Electrical Installation Condition Report containing no C2 or C3 recommendations in respect of the House.”
2. The RSEO specified that these works must be carried out and completed within two calendar months of the service of the RSEO dated 17 July 2015.
  3. A re-inspection of the House conducted by the surveyor member of the Committee took place on 9 October 2015 to verify that the works had been carried out.
  4. On 10 October 2015, the surveyor member produced a report with photographs for the Committee demonstrating that the above requirements of the RSEO had been complied with.

#### **Decision**

5. The Committee therefore determined that the works having been completed to their satisfaction, the RSEO was no longer required. It thereafter determined that the RSEO would be revoked in terms of section 25(1)(b) of the 2006 Act.

#### **Right of Appeal**

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

#### **Effect of section 63 of the 2006 Act**

7. Where such an appeal is made, the effect of the decision and 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.

# **M. McCarroll**

Chairperson  
Private Rented Housing Committee

Date: 16 October 2015