



PRIVATE RENTED HOUSING COMMITTEE

STATEMENT OF DECISION OF THE PRIVATE RENTED HOUSING COMMITTEE UNDER SECTION 26 OF THE HOUSING (SCOTLAND) ACT 2006 AND REGULATION 26 OF THE PRIVATE RENTED HOUSING PANEL (APPLICATIONS AND DETERMINATIONS)(SCOTLAND) REGULATIONS 2007

In connection with

Reference number: – PRHP/RP/13/0070

The Property

24 Norfield Drive, Mount Florida, Glasgow G44 4UD, registered in the Land Register for Scotland under title number GLA117478

The Landlord

Mr Liaquat Ali, residing at 3 Kings Park Avenue, Glasgow G44 4UP

Decision

The Committee, having made such enquiries as are fit for the purposes of determining whether the Landlord has complied with the terms of the Repairing Standard Enforcement Order (“the RSEO”) dated 7 July 2014 in terms of section 26(1) of the Housing (Scotland) Act (“the Act”) determined that the Landlord complied with the terms of the RSEO and proceeded to issue a Certificate of Completion.

Background

1. Reference is made to: Notices of Direction dated 4 November 2013, 14 February 2014, 2 April 2014 and 15 May 2014; Minute of Continuation dated 17 November 2013; and Statement of Decision of the Committee dated 10 July 2014 which detail the full background and history of this application.
2. A RSEO dated 7 July 2014 was issued by the Committee on 10 July 2014 which required the Landlord to carry out the following works:
 - a. To commission a report from a professional pest control company covering the entire property including the roof void and garden ground.

- b. To carry out all work and treatments recommended in such report to eliminate any current infestation and prevent future infestation.
 - c. To provide evidence to the Committee of the work and treatment carried out.
3. The Landlord subsequently produced a further report from Pest Solutions following an inspection by them on 8 August 2014 which referred to an inspection of the loft. It made no reference to an inspection having been carried out of the remainder of the property or to the garden ground all as specified in the RSEO.
4. On 27 August 2014, following consideration of the report by the Committee, a letter was sent to the Landlord advising that the Committee required that a full report as directed in the RSEO be obtained and any recommendations complied with before it would be in a position to consider the discharge of the RSEO.
5. On 2 October 2104 the Surveyor Member of the Committee carried out a re-inspection of the property and produced a report thereon of that date, which is referred to for its terms. That report indicated that the Landlord still had not produced a report covering the whole property including the roof void and garden ground as specified in the RSEO.
6. As a side issue, in view of the serious nature of the issue involving an infestation of vermin in the property which was occupied by a young family, the Committee directed that the matter be drawn to the attention of the Land & Environmental Services Department of Glasgow City Council. This was in respect of both the infestation of vermin and the quantity of rubbish and material found to be in the garden area at the time of the inspection. On 2 September 2014 the Council eventually responded to PRHP administration to advise that an inspection had been carried out by their Pest Control Supervisor on 4 March 2014 when evidence of rat activity was noted at the front door and under the units in the kitchen. They advised that all appropriate areas were treated and this continued until the rat infestation was eradicated. Details of proofing measures required were passed to the Tenant in occupation to be passed on to the Landlord. The Council noted that during a subsequent visit on 5 June 2014: the build-up of refuse had been removed; and there was no further evidence of any rodent infestation at the site. At that time the Council was unable to gain access to the inside of the Property which was denied by the Tenant but she advised that all necessary proofing works had been completed. However it was satisfied that the infestation of rodents at the Property had been eradicated.

Reasons

1. The Landlord had been aware of the presence of rats or squirrels within the property since at least June 2013. Following the report of 12 June 2013 no evidence of any remedial action to eliminate such a presence had been produced by him. The report of 4 June 2014 confirmed an ongoing presence of rodent activity, notwithstanding that it may not have been current at the date of the inspection.
2. No evidence had been produced of any treatment applied or remedial action taken to ensure the elimination of rats or squirrels from the property.

3. At the time of the inspection carried out by the Committee on 10 February 2014 the property was found to be occupied by a family including young school age children for whom the presence of rats or squirrels pose a serious threat to health and safety.
4. The Committee considered that the property was not reasonably fit for human habitation as a result of the evidence of the presence of rats or squirrels in or about the property.
5. The Committee was concerned that the landlord had taken very few steps to attend to the reported infestation of rodents of vermin and that it had been the Council, at the instance of the Committee who had undertaken the necessary work to render the property reasonably fit for human habitation.

Right of Appeal

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

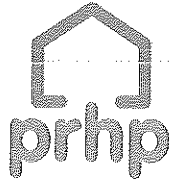
Where such an appeal is made, the effect of the decision and of the order is suspended until the appeal is abandoned or finally determined, and where the appeal is abandoned or finally determined by confirming the decision, the decision and the order will be treated as having effect from the day on which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

David Preston

Signed:
Chairperson



Date..10-12-14.



Certificate of completion of work

Issued by the Private Rented Housing Committee

Under section 60 of the Housing (Scotland) Act 2006

CERTIFICATE OF COMPLETION

THE PROPERTY

24 Norfield Drive, Mount Florida, Glasgow G44 4UD, registered in the Land Register for Scotland under title number GLA117478

THE PARTIES:

The Tenancy having been lawfully terminated, there is no tenant on whom notice is to be served.

Mr Liaquat Ali, residing at 3 Kings Park Avenue, Glasgow G44 4UP ("the Landlord")

PRHP Ref: PRHP/RP/13/0070

The Private Rented Housing Committee hereby certifies that the work required by the **Repairing Standard Enforcement Order** relative to the Property dated 7 July 2014 has been completed. Accordingly, the said Repairing Standard Enforcement Order relative to the property has been discharged.

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. IN WITNESS WHEREOF these presents are executed as follows:-

David Preston


Chairman

10-12-14.....
Date of Signing

Glasgow.....
Place of Signing

Gordon Hope


Witness

Gordon Hope
Name

BORTHWICK HOUSE
Address

CALED PARK
HAMILTON
ML3 0QA