



**PRIVATE RENTED HOUSING COMMITTEE  
STATEMENT OF DECISION**

**PROPERTY:**

**3 Morshead Place, Leslie, Glenrothes, KY6 3AH**

**RE-INSPECTION & HEARING**

**20<sup>th</sup> April, 2010**

## **STATEMENT OF DECISION**

### **INTRODUCTION**

1. An application dated 18<sup>th</sup> June, 2009 ('the application') made under section 22(1) of the Housing (Scotland) Act 2006 ('the Act') by Mr. Alan Hamilton ('the tenant') regarding the property known as and forming 3 Morshead Place, Leslie, Glenrothes, Fife, KY6 3AH. The landlord of the property is St. Andrew's Property Holdings Ltd ('the landlord') who were originally represented by their agent, J & E Shepherd, Chartered Surveyors, although are now represented by a new agent, Redpath Bruce ('the agent').
2. There was an inspection and hearing concerning the property which took place on 29<sup>th</sup> November, 2009 following which the Committee reached its decision dated 14<sup>th</sup> December, 2009 and as a consequence of which issued a Repairing Standard Enforcement Order ('RSEO') dated 14<sup>th</sup> December, 2010. Both the decision and RSEO dated 14<sup>th</sup> December, 2009 are produced with this decision.
3. The Committee re-inspected the property on 20<sup>th</sup> April, 2010 to determine if the RSEO had been complied with. The re-inspection of the Committee comprised of the original Committee.

### **INSPECTION**

4. The Committee observed that the RSEO, paragraphs 3(a) and (b) had been complied with in full, with the exception that all of the window frames had not been painted. In addition, whilst not part of the original reference in the case, the Committee observed that there was no mains wired smoke alarm in the property.

### **HEARING**

5. The Committee advised the landlord's agent that they were minded to issue a certificate of completion in respect of the works referred to in the RSEO if the agent gave an undertaking that they would paint the window frames of all the new windows. The agent agreed. In addition, the agent gave a further voluntary undertaking to ensure that the property was fitted with a mains wired smoke alarm as soon as was reasonably practicable.

### **DECISION**

6. The Committee accordingly determines that the RSEO has been complied with and further that the RSEO should be discharged as a consequence.

### **RIGHT OF APPEAL**

7. A landlord or tenant has the right to appeal this decision to the Sheriff by summary application within 21 days of being notified of that decision.

**EFFECT OF APPEAL**

8. In terms of section 63 of the Act, where such an appeal is made, the effect of the decision and of any order is suspended until the appeal is abandoned or finally determined by confirming the decision, the decision and any order will be treated as having effect from the day on which the appeal is abandoned or so determined.

**S Walker**

Signed .....

**Steven P Walker**  
**Advocate & Barrister**

**Chairman**  
**Private Rented Housing Committee**

**10<sup>th</sup> May, 2010**



**PRIVATE RENTED HOUSING COMMITTEE  
CERTIFICATE OF COMPLETION  
UNDER SECTION 60 OF THE HOUSING (SCOTLAND) ACT 2006**

**PROPERTY:**

**3 Morshead Place, Leslie, Glenrothes, KY6 3AH**

**CERTIFICATE OF COMPLETION**

The Private Rented Housing Committee ('the Committee') **HEREBY CERTIFIES** that the Works required by the RSEO dated 14<sup>th</sup> December, 2009 relative to this property have been complied with. Accordingly, the Committee now discharges the said RSEO.

**IN WITNESS WHEREOF** these presents typewritten consisting of this page are executed by me, Steven Peter Walker, Advocate and Barrister, Chairman of the Private Rented Housing Committee at London on the Tenth day of May Two Thousand and Ten in the presence of David Wright, Clerk, c/o 2-5 Warwick Court, London, WC1R 5DJ.

S Walker

Chairman

D Wright

Witness