



**Statement of facts and reasons for Determination in terms of
SECTION 26(2) OF THE HOUSING (SCOTLAND) ACT 2006**

PRHP Ref: PRHP/RP/13/0150

Property at: Flat 2/2 9 Pitfour Street, Dundee DD2 2NU
("the property")

The Parties

Mr Darren Paton residing at Flat 2/2 9 Pitfour Street, Dundee DD2 2NU (represented by his agent, Lindsay Watson, Dundee City Council, Dundee House, 50 North Lindsay Street, Dundee, DD1 1NB) ("the tenant")

Geoffrey Abbott, residing at 4 Thurso Crescent, Dundee, DD2 4AY ("the landlord")

STATEMENT OF FACTS & REASONS.

(1) On 20th August 2014 the Private Rented Housing Committee issued a decision requiring the Landlord to comply with the repairing standard enforcement order made by the Committee on 20th August 2014. The Committee members were

Paul Doyle	Chairperson
David Godfrey	Surveyor Member
Christine Anderson	Housing Member

(2) On 24 November 2014 the surveyor member of the Committee visited the property by prior arrangement to re-inspect the property. The surveyor member was not granted access to the property. The PRHP wrote to the landlord seeking access, but, to date, the landlord has not facilitated the re-inspection of the property.

(3) The Committee considered carefully the terms of s.26(4) of the 2006 Act. No realistic explanation for denying the surveyor member access to the property is offered. In the circumstances the Committee can only come to the unanimous conclusion that the Landlord has taken no reasonable steps to comply with the repairing standard enforcement order dated 20th August 2014. The Committee will send a notice to the Local authority in terms of s.26(2) of the Housing (Scotland) Act 2006..

(4) A Landlord or a 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.

(5) Where such an appeal is made the effect of the decision and the certificate are suspended until the Appeal is abandoned or finally determined. Where the Appeal is abandoned or finally determined by confirming the decision, the decision and the certificate are to be treated as having effect from the day on which the Appeal is abandoned or so determined.

Signed: **P. Doyle**
Paul Doyle, Chairperson