



**Determination by Private Rented Housing Committee
Statement of decision of the Private Rented Housing Committee under Section 26 (1) of the
Housing (Scotland) Act 2006**

Ref: PRHP/RP/14/0031

Re property at: Flat 2/1, 138 Dorchester Avenue, Glasgow, G12 0EA, being the subjects registered in the Land Register of Scotland under Title Number GLA199856 ("the Property")

The Parties:-

Miss Paula Taggart, residing at Flat 2/1, 138 Dorchester Avenue, Glasgow, G12 0EA ("the Tenant")

And

Jonathan Williams and Jennifer Williams, residing at 1 Queens Gate, 127 Dowanhill Street, Glasgow G12 9DN ("the Landlords")

Decision

The Private Rented Housing Committee ("the Committee"), has now determined that the Landlord has failed to comply with the requirements of the Repairing Standard Enforcement Order ("RSEO") dated 10 October 2014, and further determined that notice of that failure should be served on the Local Authority in which the property is situated. The Committee further determined not to make Rent Relief Order in this matter.

Background

1. On 10 October 2014, the Committee issued a determination which stated that the Landlord had failed to comply with the duties imposed by Section 14 (1)(b) of the Act. On the same date the Committee issued a RSEO in respect of the property.
2. The RSEO made by the Committee required the Landlord to carry out such works as are necessary to:-
 - (a) repair the roof of the subjects in which the property is situated so that the property is wind and watertight and in all other respects reasonably fit for human habitation and so that the structure and exterior of the house is in a reasonable state of repair and in proper working order; and

9. The Committee are required, in terms of Section 26 (2)(b) of the Act to decide whether to make a Rent Relief Order. In this case the Tenant has vacated the property and no rent is currently payable. The Committee accordingly has determined not make a Rent Relief Order.
10. The Tenancy, in this case, has been terminated and, in accordance with Section 7 (1) of Schedule 3 to the Act, the Tenant is accordingly to be treated as having withdrawn her application.
11. In accordance with Section 7 (3) of Schedule 3 to the Act, the Committee have, despite the withdrawal of the application, decided to continue to determine the application in accordance with the provisions of that section.

Right of Appeal

12. 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

13. 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.

A Cowan

Signec

..... Date.....

28/4/15

Andrew Cowan, Chairperson

L McManus

.....Witness

Laura McManus, Secretary, 7 West George Street, Glasgow, G2 1BA