



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

**Re Flat 6, 30 Greenlaw Drive, Paisley, PA1 3RU being the subjects registered in the
Land Register of Scotland under Title Number REN53738 ('the Property')**

The Parties:-

Sharon Caldwell residing at 30 Greenlaw Drive, Paisley, PA1 2RU ('The Tenant')

**Leslie Gray and Gillian Gray both of Farmfield House, Law Brae, West Kilbride
represented by Castle Residential, 63 Causeyside Street, Paisley ('The Landlords')**

Background

1. On 22nd September 2014 the Private Rented Housing Committee ('the Committee') issued a Determination which stated that the Landlords had failed to comply with the duties imposed by Section 14 (1)(b) of the Housing (Scotland) Act 2006 ("the Act"). On the same date the Committee issued a Repairing Standard Enforcement Order ('RSEO') in respect of the Property.
2. The RSEO made by the Committee required the Landlords to:-

'Replace the controls that are missing from the storage radiators to ensure that the radiators can be used for space heating in the manner intended.'
3. The Private Rented Housing Committee ordered that the works specified in the RSEO were to be carried out and completed by 30th November 2014.
4. On 4th February 2015 the surveyor member of the Committee attended at the Property for the purpose of ascertaining whether the said repairs required by the RSEO had been completed. He found that the works specified in the RSEO had not been carried out and had not been satisfactorily completed.
5. A reinspection by the Committee had been scheduled for 15th May 2015 however this was cancelled as the Tenant advised that she was vacating the Property and would be unable to provide access. The PRHP Clerk wrote to the Landlords on 13th May 2015 confirming that the reinspection had been cancelled and requesting that The Landlords submit an application to request the Committee to vary the RSEO to allow additional time for the works to be completed. No such request to vary the RSEO has been received.

Decision and Reasons

5. The Committee having made such necessary enquiries as it deemed necessary for the purposes of determining whether the Landlords have complied with the Repairing Standard Enforcement Order, in relation to the Property concerned, determined that the Landlords have failed to comply with the RSEO and that a notice of the failure be served on the Local Authority in which the Property is situated.

Right of Appeal

- 6. 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

7. 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.

Signed **J Taylor**
Chairperson

Date: 22nd June 2015