



**NOTICE TO LOCAL AUTHORITY**

**Determination by Private Rented Housing Committee**

**ISSUED BY**

**THE PRIVATE RENTED HOUSING COMMITTEE**

**UNDER SECTION 26(2) OF THE HOUSING (SCOTLAND) ACT 2006**

**Ref: PRHP/PA4/176/11**

**Re: Property at Flat D, 202 Paisley Road, Renfrew PA4 8DS ("the Property")**

**Title Number: REN73726**

**The Parties:-**

**MR ABDUL GHAFAR, residing at 240 Aitkenhead Road, Glasgow G42 0QL ("the Landlord")**

Notice is hereby given to Renfrewshire Council, being the local authority in which the house is situated, that there has been a failure by the Landlord to comply with a Repairing Standard Enforcement Order in relation to the house in terms of Section 26(1) of the Housing (Scotland) Act 2006. The Statement of Decision of the Private Rented Housing Committee under Section 26(1) of the said Act is attached hereto and referred to for its terms.

If an appeal against the decision of the Private Rented Housing Committee is made, then the effect of the decision is suspended until the appeal is abandoned or finally determined. In the event the decision is confirmed then the decision will be effective 28 days from the date on which the appeal is abandoned or so determined. If an appeal is received then the Private Rented Housing Panel will notify you of this and the eventual outcome of the appeal. The date of service upon the parties of the Decision under Section 26 of the Act is hereby certified to be 18<sup>th</sup> October 2012.

In witness whereof these presents type written on this page only are executed by Andrew Stuart Cowan, Solicitor, 7 West George Street, Glasgow G2 1BA, Chairperson of the Private Rented Housing Committee at Glasgow on 22 October 2012 before this witness:-

**L McManus** \_\_\_\_\_ witness

**A Cowan** \_\_\_\_\_ chairman

Full Name      Laura McManus

Address        7 West George Street, Glasgow G2 1BA

Occupation    Secretary





## 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/PA4/176/11

Re: Property at Flat D, 202 Paisley Road, Renfrew PA4 8DS ("the Property")

Title Number: REN73726

#### The Parties:-

MR ABDUL GHAFAR, residing at 240 Aitkenhead Road, Glasgow G42 0QL ("the Landlord")

#### Background

- 1 On 8 June 2012, the Private Rented Housing Committee ("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 Housing (Scotland) Act 2006 ("the Act"). On the same day the Committee issued a Repairing Standard Enforcement Order ("RSEO") in respect of the property.
- 2 The RSEO made by the Committee required the Landlord to:-
  - (a) Provide an up to date report from a qualified roofer on the condition of the roof and gutters relating to the property and carry out any repairs identified in that report to ensure the property is wind and watertight and make good any damage caused by the water ingress and associated remedial works.
  - (b) Provide an up to date report on the state of repair and working order of the central heating boiler and hot water system from a suitably qualified heating engineer and carry out any repairs identified in that report to ensure the boiler is in a safe and proper working order and in a reasonable state of repair.
  - (c) Carry out such works as are necessary to repair the gas hob in the kitchen of the property so that it is in a reasonable state of repair and in proper working order.
- 3 The Private Rented Housing Committee ordered that the works specified in the RSEO were to be carried out and completed within a period of 8 weeks from the date of service of the notice. Service of the notice of the RSEO was effected on the Landlord on 11 June 2012.
- 4 On 22 August 2012, the Surveyor Member of the Committee carried out a further inspection of the property for the purposes of ascertaining whether the said repairs required by the RSEO had been completed. The Surveyor Member was unable to inspect the interior of the property as the Landlord was not present to provide access.

There was no evidence presented by the Landlord that any of the works listed and required by the Repairing Standard Enforcement Order had been completed.

- 5 The Surveyor Member prepared a report following the reinspection of the property. A copy of that Report was sent to the Landlord by letter dated 11 September 2012. The Landlord was given the opportunity to comment upon the content of the Surveyor Member's Report. The Landlord did not respond to the intimation of the Surveyor's Report.
  
6. The Committee having made such enquiries as are appropriate for the purposes of determining whether the Landlord has complied with the RSEO in relation to the property concerned, determined that the Landlord has continued to fail to comply with the RSEO in terms of Section 26 (1) of the Housing (Scotland) Act 2006 and that Notice of that failure should be served on the Local Authority in which the property is situated.

### Right of Appeal

- 7 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

- 8 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**

.....  
Andrew S Cowan, Chairperson

Date 11 OCTOBER 2012

**L McManus**

Witness .....

Full Name      Laura McManus

Address        7 West George Street, Glasgow G2 1BA

Occupation    Secretary