



**NOTICE OF A DECISION TO REVOKE
A REPAIRING STANDARD ENFORCEMENT ORDER**

Ordered by the Private Rented Housing Committee

Re: Property at The Lodgehouse, 2A Vernonholme, Riverside Drive, Dundee DD2 1QH (“the Property”)

Title Number: ANG4869

The Parties:-

SAMANTHA COOK, residing at The Lodgehouse, 2A Vernonholme, Riverside Drive, Dundee DD2 1QH (“the Tenant”)

L P RIDDOCH LTD (In Administration) (“the Landlord”)

Committee members:-

Richard Mill (Chairman), David Godfrey (Surveyor Member) and Michael Scott (Housing Member)

NOTICE TO KENT PROPERTIES (DUNDEE) LIMITED, a Company incorporated in Scotland under the Companies Acts (Company Number SC520990), and having its Registered Office at 27 Lauriston Street, Edinburgh EH3 9DQ (“the Landlord”)

The Private Rented Housing Committee having determined that the work required by the previously issued Repairing Standard Enforcement Order relative to the property is no longer necessary, the works specified with the said Order having been completed, the said Repairing Standard Enforcement Order IS HEREBY REVOKED with effect from the date of service of this Notice.

A Landlord or Tenant aggrieved by this Decision of the Private Rented Housing Committee may Appeal to the Sheriff by Summary Application within 21 days of

being notified of that Decision.

Where such an Appeal is made, the effect of the Revocation is suspended until the appeal is abandoned or finally determined, and where the appeal is abandoned or finally determined by confirming the decision, the revocation will be treated as having effect from the date on which the appeal is abandoned or so determined.

R Mill

MJ Johnstone

_____ witness

_____ chairman

Margaret Johnstone Murray
21 Stafford Street
Edinburgh
EH3 7BJ

Dated: 4 May 2016

Legal Secretary



Private Rented Housing Committee

**Statement of the Decision relative to the Notice of the Decision to Revoke
a Repairing Standard Enforcement Order**

Ordered by the Private Rented Housing Committee

Re: The Lodgehouse, 2A Vernonholme, Riverside Drive, Dundee DD2 1QH (“the Property”)

Title Number: ANG4869

The Parties:-

SAMANTHA COOK, residing at The Lodgehouse, 2A Vernonholme, Riverside Drive, Dundee DD2 1QH (“the Tenant”)

L P RIDDOCH LTD (In Administration) (“the Landlord”)

Committee members:-

Richard Mill (Chairman), David Godfrey (Surveyor Member) and Michael Scott (Housing Member)

Decision

The committee unanimously, having made such enquiries for the purposes of determining whether the Repairing Standard Enforcement Order relative to the Property should be revoked in terms of Section 25 of the Housing (Scotland) Act 2006 REVOKES the Repairing Standard Enforcement Order.

Background

1. Following an inspection by and Hearing before the committee on 3 March 2015, a Repairing Standard Enforcement Order was issued in the following terms:-

“In particular, the Private Rented Housing Committee require the Landlord:

1. To instruct a reputable roofing contractor to inspect and survey and thereafter complete renovation and overhaul of the gutters and rhones of the property so as to ensure that they are in a reasonable state of repair and in proper working order.
2. To instruct a reputable contractor to inspect, survey and thereafter repair and overhaul the timber framed sash and case windows within the property so as to ensure that they are in good working order and wind and watertight.
3. To instruct a reputable contractor to inspect, survey and repair and/or replace the back door of the property leading to the garden so as to ensure that it is wind and watertight.
4. To instruct a reputable contractor to re-decorate the living room ceiling, re-plastering where required.
5. To instruct a reputable gas installation contractor to repair or replace the gas fire in the lounge of the property.
6. To arrange for and produce a Gas Safety Certificate in respect of the property.

The Private Rented Housing Committee requires that the works specified in this Order must be carried out and completed within 6 weeks from the date of service of this Notice.”

2. A re-inspection of the Property was undertaken by the surveyor member of the committee on 28 April 2015 when it was identified that some, but not all, of the works required to be completed had been undertaken. Following a further re-inspection of the Property on 1 July 2015, the committee determined that the Repairing Standard Enforcement Order had still not been fully complied with and that there was no good reason for this. The committee proceeded to issue a Determination that the Landlord had failed to comply with the RSEO. Relevant Notice was issued to the Local Authority and additionally a Rent Relief Order was issued by the committee.
3. The committee were advised in late January 2016 that the Title to the Property had been transferred and the Landlords’ interest had become invested in a new heritable proprietor, namely Kent Properties (Dundee) Limited, a Company incorporated in Scotland under the Companies Acts (Company Number SC520990), and having its Registered Office at 27 Lauriston Street, Edinburgh EH3 9DQ. A copy of the Land Register confirming this was produced.
4. Submissions made on behalf of the new Landlord were received by the committee confirming that all the necessary works required in terms of the Repairing Standard Enforcement Order had been completed. Accordingly, a

further re-inspection was arranged. The Surveyor Member of the committee re-inspected the Property on 25 April 2016. The Tenant was in attendance. It was identified that all the works had been completed. This included the production of a Gas Safety Certificate which is dated 19 November 2015. Reference is made to the Re-inspection Report of the Surveyor Member of the committee dated 25 April 2016 which is annexed to this Decision.

5. The committee, being satisfied in the circumstances as previously set out the Repairing Standard Enforcement Order was no longer necessary and determined that it would be revoked in terms of Section 25(1)(b) of the Housing (Scotland) Act 2006.

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.
7. Where such an appeal is made, the effect of the decision and 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.

MJ Johnstone

witness

Margaret Johnstone Murray, Legal Secretary
21 Stafford Street
Edinburgh
EH3 7BJ

R Mill

chairman

Dated: 4 May 2016