



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

Ordered by the Private Rented Housing Committee

Re: Property at G/R, 4 Lawson Place, Dundee DD3 6NQ ("the Property")

Title Number: ANG19419

The Parties:-

JAMES SCOTT, residing at G/R, 4 Lawson Place, Dundee DD3 6NQ ("the Tenant")

ZHI LI, care of Balgay Property and Investment Services, 8 Westport, Dundee DD1 5EP ("the Landlord")

Committee members:-

Richard Mill (Chairman), Geraldine Wooley (Surveyor Member) and Christine Anderson (Housing Member)

NOTICE TO ZHI LI, CARE OF BALGAY PROPERTY AND INVESTMENT SERVICES, 8 WESTPORT, DUNDEE DD1 5EP ("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

Chairperson of the Committee

Dated: 15 September 2015



Ref PRHP/RP/14/0046

Private Rented Housing Committee

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

Ordered by the Private Rented Housing Committee

Re: G/R, 4 Lawson Place, Dundee DD3 6NQ ("the Property")

Title Number: ANG19419

The Parties:-

JAMES SCOTT, residing at G/R, 4 Lawson Place, Dundee DD3 6NQ ("the Tenant")

ZHI LI, care of Balgay Property and Investment Services, 8 Westport, Dundee DD1 5EP ("the Landlord")

Committee members:-

Richard Mill (Chairman), Geraldine Wooley (Surveyor Member) and Christine Anderson (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 14 May 2015, a Repairing Standard Enforcement Order was issued in the following terms:-

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

1. To instruct a reputable contractor to inspect, survey, overhaul and repair the windows within the property so as to ensure that they are in good working order, windproof and are capable of being opened, shut and locked.
2. To replace the electric shower within the bathroom of the property.
3. To repair or replace the washing machine in the property and for it to be tested to ensure that it is working properly, and for a report in that respect to be prepared and produced by a suitably qualified domestic appliance engineer. Unless replaced by a brand new appliance, evidence of the washing machine having been PAT tested also requires to be vouched.
4. The light and fan within the bathroom of the property require to be repaired or replaced so as to ensure that they are operable and in good working order.
5. The bedroom of the property requires to be re-decorated following a problem with damp, most likely to have been caused by, or exacerbated by, lack of heating due to the boiler in the property which was condemned.
6. The hole in the bedroom ceiling, where a previous light fitting was situated, requires to be re-plastered and re-decorated.
7. An Electrical Installation Condition Report requires to be instructed and produced confirming that all C1 and C2 issues referred to within the previous Electrical Installation Condition Report dated 28 November 2014 have been resolved.
8. A functionality test by a qualified electrician requires to be carried out and vouched in respect of the fixed appliances within the property, namely the electric cooker within the kitchen and the newly installed shower as required in terms of item 2 above.
9. The provision for detecting and giving warning in the event of

fire in the Property requires to be upgraded. This should be in accordance with the Scottish Government Revised Statutory Guidance on the requirements for smoke alarms (which if necessary is available of the PRHP website). This guidance states that there should be at least one functioning smoke alarm in the room which is frequently used by the occupants for general daytime living purposes, one functioning smoke alarm in every circulation space, such as hallways and landings, one heat alarm in every kitchen and all alarms should be interlinked.

10. The defects noted in the Gas Safety Certificate issued on 14 January 2015 should be remedied. A terminal guard should be fitted to the external vent. The speedfit PRV pipe work should be replaced to ensure that the overflow from the external pipe flows towards the wall. The flue should be resealed with mortar and/or plaster and ensure that it is correctly sealed.

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. Following upon expiry of the timescales for completion of the works specified within the RSEO the Surveyor and Housing Members of the committee, Geraldine Wooley and Christine Anderson, re-inspected the property on 3 September 2015.
3. The findings in terms of the said re-inspection on 3 September 2015 disclosed that the works specified within the Repairing Standard Enforcement Order had been undertaken.
4. The re-inspection revealed:-
 - i. Although on external inspection it appeared that both front and rear windows were not completely closed, the Landlord's tradesman, Mr Anderson, demonstrated that work had been undertaken to renovate the windows and that the windows could be correctly closed provided some care was taken. The problems with the windows are typical of their age and design. The Landlord should be aware that they are coming to the end of their useful life.
 - ii. The electric shower had been replaced.
 - iii. A new working washing machine had been installed.
 - iv. The light and fan in the bathroom were in working order.
 - v. The bedroom in the property had been redecorated, including re-plastering the hole in the ceiling.

- vi. A new electrical consumer unit had been installed in the property. Minor electrical installation works Certificates were produced verifying that the previous electrical problems were resolved and the shower, hob and oven are in working order.
 - vii. A hardwired system for detecting fire had been installed.
 - viii. The external vent to the boiler had been protected and pipe work replaced.
5. A copy of the Re-inspection Report detailing the above was earlier provided to parties.
 6. The committee required to be satisfied that the washing machine was in fact a new product or, alternatively, had been PAT tested. It was undertaken on behalf of the Landlord to produce the invoice for the new washing machine. An invoice dated 19 June 2015 was subsequently produced for the committee's consideration. It disclosed the washing machine was a new product.

Reasons for Decision

7. Reference is made to the committee's findings on re-inspection as detailed above and as detailed within the Re-inspection Report already issued to parties. The committee is satisfied in the circumstances that the Repairing Standard Enforcement Order is no longer necessary and that it should be revoked in terms of Section 25(1)(b) of the Housing (Scotland) Act 2006.

Right of Appeal

8. 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.
9. 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.

R. Mill

Signed
Chairman

.. Date 15 September 2015