

Ref: PRHP/RP/15/0223



**NOTICE OF A DECISION TO REVOKE
A REPAIRING STANDARD ENFORCEMENT ORDER
ORDERED BY THE PRIVATE RENTED HOUSING COMMITTEE**

Re: Property at 29 Weensland Road, Hawick, TD9 9NW, as more particularly described in the Disposition in favour of the Trustees of the Congregation of the Hawick Baptist Church dated 17 August and 7 September 1969 and recorded in the Division of the General Register of Sasine applicable to the County of Roxburgh on 5 December 1969 (“the House”)

The parties:-

Mr Roy Shuttleworth, residing at the House (“the Tenant”)

and

Hawick Baptist Church, per Mrs Wendy Underhill, Congregation Treasurer, The Cottage, Appletreehall, Hawick, TD9 8PW (“the Landlord”)

Committee: Mr Maurice O'Carroll (Chairperson)
Mr David Andrew Taylor (Surveyor Member)

NOTICE TO: Mrs Wendy Underhill, on behalf of the Landlord

The Private Rented Housing Committee having determined that the work required by the Repairing Standard Enforcement Order relative to the Property is no longer necessary,

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 way of summary application within 21 days of being notified of that decision.

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.

Signed .
Maurice O'Carroll, Chairperson

Date: 16 September 2016

. witness:

MURRAY MORTON Name of witness

CIVIL SERJANT Occupation

EUROPA BUILDING Address
450 ARGYLE ST
GLASGOW
G2 8LH



Statement relative to the Notice of the Decision to Revoke

The Repairing Standard Enforcement Order

Ordered by the Private Rented Housing Committee

Re: House at 29 Weensland Road, Hawick, TD9 9NW, as more fully described in the relative Notice (“the House”)

Case Ref: PRHP/RP/15/0223

The Parties:-

Application received from Mr Roy Shuttleworth (“the Tenant”)

The Hawick Baptist Church, as designated above (“the Landlord”)

Committee: Mr Maurice O’Carroll (Chairperson), Mr Andrew Taylor (Surveyor Member)

Decision

The Committee unanimously, having made such enquiries as it saw fit for the purpose of determining whether the Repairing Standard Enforcement Order (“RSEO”) relative to the House should be revoked in terms of section 25 of the Housing (Scotland) Act 2006 agreed that the RSEO should be revoked.

1. The RSEO relative to the House required the Landlord to:

- (i) Carry out such works as are necessary to eliminate draughts at the main front door;**
- (ii) Repair or replace the kitchen sink unit so that the doors are secure and in good working order;**
- (iii) Replace and make good the missing tiles to the walls in the kitchen;**

- (iv) Carry out such works as are necessary to eliminate water ingress to the kitchen porch roof;
 - (v) Carry out such works as are necessary to low level gutters, semi-circular cast iron gutters and down pipes at the rear of the property, including clearing any blockages to drainage so that the roof drainage system functions correctly;
 - (vi) Repair or replace the three cast iron roof lights to eliminate water ingress, including replacing water damaged ingoes;
 - (vii) Provide and install smoke detection and alarm equipment in accordance with the British Standard on the design of fire detection installations for dwellings (BS5389 Part 6) in conjunction with the Scottish Government's Technical Handbook 2013 Domestic under Section 2 – Fire, sub-section 2.11 Communication.
2. The RSEO specified that these works must be carried out and completed within four calendar months of the service of the RSEO dated 31 December 2015. The date for compliance was subsequently varied on 1 June and 26 July 2016 to allow further time for completion of the works.
 3. Re-inspection of the House was carried out on 13 May, 24 June and 22 July 2016 when it was determined on each occasion that the works had not been carried out to the satisfaction of the Committee.
 4. A further re-inspection of the House conducted by the surveyor member of the Committee took place on 7 September 2016 in order to verify that the remaining works had been carried out.
 5. On 9 September 2016, the surveyor member produced a report with photographs for the Committee demonstrating that all of the above requirements of the RSEO had been complied with.

Decision

6. The Committee therefore determined that the works having been completed to their satisfaction, the RSEO was no longer required. It thereafter determined that the RSEO would be revoked in terms of section 25(1)(b) of the 2006 Act.

Right of Appeal

7. **A landlord or tenant aggrieved by this decision of the Private Rented Housing Committee may appeal to the Sheriff by way of summary application within 21 days of being notified of that decision.**

Effect of section 63 of the 2006 Act

8. 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.

M O'Carroll

Chairperson
Private Rented Housing Committee

Date: 16 September 2016