



**Notice of a decision to Revoke**

**A Repairing Standard Enforcement Order**

**Ordered by the Private Rented Housing Committee**

Re Laverockhall Cottage, Old Glasgow Road, Stewarton, KA3 5JU ('the Property')

The Parties:-

Dr Urmila Ratnasabapathy residing at Laverockhall Cottage, Old Glasgow Road, Stewarton aforesaid ('The Tenant')

Mr Porter per J C Roxburgh properties Limited, 35 Main Street, Stewarton, KA3 5BS ('The Landlord')

**NOTICE TO**

**Mr Porter per J C Roxburgh Properties Limited, 35 Main Street, Stewarton, KA3 5BS**

The Private Rented Housing Committee having determined that the work required by the **Repairing Standard Enforcement Order** relative to the Property dated 23<sup>rd</sup> April 2012 is no longer necessary hereby revoke the said **Repairing Standard Enforcement Order** with effect from the date of service of this Notice.

**A landlord or a 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 day on which the appeal is abandoned or so determined.

Signed..... **J Taylor** ..... Date 30th October 2012  
Chairperson

..... E Shedden ..... witness: ELIZABETH GIFFEN SHEDDEN, 65, High Street, Irvine



## DETERMINATION BY PRIVATE RENTED HOUSING COMMITTEE

### Statement relative to Revocation of Repairing Standard Enforcement Order Issued by the Private Rented Housing Committee under section 25 of the Housing (Scotland) Act 2006

Re Laverockhall Cottage, Old Glasgow Road, Stewarton, KA3 5JU ('the Property')

#### The Parties:-

Dr Urmila Ratnasabapathy residing at Laverockhall Cottage, Old Glasgow Road, Stewarton aforesaid ('The Tenant')

Mr Porter per J C Roxburgh properties Limited, 35 Main Street, Stewarton, KA3 5BS ('The Landlord')

#### Background

1. On 23<sup>rd</sup> April 2012 the Private Rented Housing Committee ('the Committee') issued a Determination which decided 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 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:
  - (a) Repair the roof of the sunroom to render it watertight.
  - (b) Repair the greenhouse to render it wind and water tight.
  - (c) Eradicate the dampness in the snug room and front bedroom of the property and carry out necessary redecoration.
  - (d) Install hardwired smoke alarms to ensure that they fully comply with current requirements.

The works had to be completed by 30<sup>th</sup> June 2012.

3. The RSEO was subsequently varied on 19<sup>th</sup> June 2012 to the effect that the period allowed for completion of the required works was extended to 10<sup>th</sup> August 2012.
4. Thereafter on 13<sup>th</sup> August 2012, Mr Links, a surveyor member of the PRHP inspected the Property to determine if the works required by the RSEO had been completed. The Tenant had vacated the Property sometime before his inspection. His report dated 13<sup>th</sup> August 2012 concluded that as there is no hard wired interlinked alarm on the upper floor of the property, item (4) of the RSEO has not been satisfactorily undertaken. A copy of Mr Links' report was sent to the Landlord who requested a hearing in relation to the terms of the report.
5. A hearing was held at the PRHP offices, Glasgow, on 25<sup>th</sup> October 2012. The Landlord attended the hearing. The Landlord advised the Committee that the Tenant had vacated the Property and he had no intention of re-letting the Property. He gave the Committee a letter from J C Roxburgh Properties Limited dated 22<sup>nd</sup> October 2012 which stated that

the property is no longer a rental property. The Landlord explained that his daughter will be moving into the Property when she returns from abroad next month.

6. The Committee advised the Landlord that the regulations for rental properties require smoke alarms installed on the first and ground floors to be hardwired and inter-linked. The Committee acknowledged that the Landlord had had a hardwired smoke alarm installed on the ground floor and explained that if the Property is to be re-let the smoke alarm on the first floor must be hardwired and interlinked to the alarm on the ground floor.
7. The Landlord explained that he has more than nine smoke alarms in the property, albeit the majority of the alarms are battery operated. He explained that he intends to have his electrician install a hardwired alarm on the first floor and interlink it to the alarm on the ground floor even although he considers this to be unnecessary as the Property is no longer a rented property
8. The Committee were satisfied that the Landlord does not intend to re-let the Property and after giving the matter due consideration they revoked the RSEO.

#### Right of Appeal

9. 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

10. 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.

**J Taylor**

Signed .....Date 30<sup>th</sup> October 2012  
Chairperson