



## Notice of a decision to Vary

### A Repairing Standard Enforcement Order

#### Ordered by the Private Rented Housing Committee

prhp Ref: PRHP/RP/15/0351

Re : Property at 38H Court Street, Dundee, DD3 7QQ ("the Property")

Land Register Number: ANG412

The Parties:-

Mr Lee McArtney, 38H Court Street, Dundee, DD3 7QQ ("the Tenant")

Mr Akram Din and Mr Jawed Din, represented by their agent, Direct Lettings, 110 Commercial Street, Dundee, DD1 2AJ ("the Landlord")

NOTICE TO Mr Akram Din and Mr Jawed Din, represented by their agent, Direct Lettings, 110 Commercial Street, Dundee, DD1 2AJ ("the Landlord")

The Private Rented Housing Committee having determined on 5 April 2016 that the Repairing Standard Enforcement Order relative to the Property served on 26 February 2016 should be varied, the said Repairing Standard Enforcement Order is hereby varied with effect from the date of service of this Notice in the following respects:-

1. The period allowed for the completion of the work required by the order is extended until 31 May 2016

Subsection 25(3) of the Housing (Scotland) Act 2006 does apply in this case.

**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 variation is suspended until the appeal is abandoned or finally determined, and where the appeal is abandoned or finally determined by confirming the decision, the variation will be treated as having effect from the day on which the appeal is abandoned or so determined.

In witness whereof these presents type written on this page are executed by Judith V Lea, solicitor, Unit 3.5 The Granary Business Centre, Coal Road, Cupar, Fife, KY15 5YQ, chairperson of the Private Rented Housing Committee at Cupar on 12 April 2016 before this witness:-

Rachel Graham

..... Witness

J Lea

..... Chairman

Rachel Graham  
Unit 3.5, The Granary Business Centre  
Coal Road  
Cupar  
Fife



**Statement of decision of the Private Rented Housing  
Committee under Section 25 of the Housing  
(Scotland) Act 2006**

**prhp Ref: PRHP/RP/15/0351**

**Re : Property at 38H Court Street, Dundee, DD3 7QQ ("the Property")**

**Land Register Number: ANG412**

**The Parties:-**

**Mr Lee McCartney, 38H Court Street, Dundee, DD3 7QQ ("the Tenant")**

**Mr Akram Din and Mr Jawed Din, represented by their agent, Direct Lettings, 110 Commercial Street, Dundee, DD1 2AJ ("the Landlord")**

**Background**

1. On 23 February 2016, the Private Rented Housing Committee comprising of Judith Lea, Chairman and Legal Member and David Godfrey, Surveyor Member, issued a decision requiring the Landlord to comply with the Repairing Standard Enforcement Order made by the Committee on 23 February 2016.
2. The terms of the Repairing Standard Enforcement Order required the following work to be completed within six weeks:-
  - (a) Repair/replace the shower door to ensure that the shower cubicle is in a reasonable state of repair and in proper working order.
  - (b) Clear the gutters at the rear of the property of vegetation so that they are in proper working order.
  - (c) Repair the leak in the roof at the vent stack to ensure it is wind and water tight.
  - (d) Instruct a reputable timber/damp proofing specialist to investigate the source of the dampness apparent within the property and thereafter carry out any necessary works to ensure that the house is wind and water tight and in all other respects reasonably fit for human habitation.
3. On 30 March 2016, the Landlords' agent sent to the Committee evidence to show that scaffolding had been erected at the property, the shower cubicle had been replaced and a report from a damp specialist had been provided. This report recommends that various works be carried out to the property. This work will take time to complete and the Landlord has asked that the Repairing Standard Enforcement Order be varied to allow them until the end of May 2016 to complete the work.
4. The Committee noted the terms of the Tenant's emails but given the steps already taken by the Landlord and the terms of the report from the damp specialist and given that the work suggested in the report will take some time to carry out, the Committee considered it reasonable to vary the Repairing Standard Enforcement Order to allow the Landlord until the end of May 2016 to complete the work.

**Right of Appeal**

5. **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**

6. 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 Lea**

Signed ..... Date 12 April 2016.  
Chairperson