



Rent Relief Order

Ordered by the Private Rented Housing Committee

PRHP Ref: PRHP/RP/14/0140

Property at: 27 Barntongate Terrace, Edinburgh, EH4 8BT ("the property")

The Parties

Jonathan Downey and Mrs Helen Downey, spouses residing together at 27 Barntongate Terrace, Edinburgh, EH4 8BT ("the tenants")

And

Andreas Peat and Joy Claireaux, 49 Hoseasons Gardens, Edinburgh, EH4 7HA ("the landlord")

NOTICE TO ("the Landlord")

Whereas in terms of their decision dated 25th September 2014, the Private Rented Housing Committee ("the Committee") determined in terms of Section 26(1) of the Housing (Scotland) Act 2006 (the "said Act") that the Landlord has failed to comply with the Repairing Standard Enforcement Order in relation to the house made by the Committee.

The Committee determined to make a Rent Relief Order in terms of Section 27 of the said Act reducing the rent payable under the tenancy for the house by an amount of 75% of the rent which would, but for the order, be payable. The rent reduction will take effect 28 days after the last date on which the decision to make the Rent Relief Order may be appealed under section 64 of the said Act.

A landlord or a 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.

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. Where the appeal is abandoned or finally determined by confirming the decision, the Rent Relief Order will take effect 28 days after the date on which the appeal is abandoned or the decision is confirmed.

In witness whereof these presents are executed by Paul Doyle, solicitor, chairperson of the Private Rented Housing Committee at Glasgow on 25 February 2015 in front of this witness Iain MacLean, Europa Building, 450 Argyle Street, Glasgow, G2 8LH

Iain MacLean

witness

Paul Doyle

chairman



**Statement of facts and reasons for Decision to grant a
Rent Relief Order
Under Section 27 of the Housing
(Scotland) Act 2006**

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The Parties

Jonathan Downey and Mrs Helen Downey, spouses residing together at 27 Barntongate Terrace, Edinburgh, EH4 8BT ("the tenants")

And

Andreas Peat and Joy Claireaux, 49 Hoseasons Gardens, Edinburgh, EH4 7HA ("the landlord")

NOTICE TO Andreas Peat and Joy Claireaux, 49 Hoseasons Gardens, Edinburgh,
EH4 7HA

STATEMENT OF FACTS & REASONS.

(1) On 25th September 2014 the Private Rented Housing Committee issued a decision requiring the Landlord to comply with the repairing standard enforcement order made by the Committee on 25th September 2014. On 16th December 2014 the surveyor member of the Committee inspected the property. After this inspection the Committee was concerned that no effort whatsoever had been made by the Landlord to carry out the work specified in the repairing standard enforcement order; the repairing standard enforcement order had not been complied with.

(2) The decision of the Private Rented Housing Committee required the landlord to

- (i) Repair or replace the central heating boiler within this property and
- (ii) Thereafter, to obtain and deliver a gas safety certificate to the Private Rented Housing Panel, 450 Argyle St, Glasgow, G2 8LH,.

All within 6 weeks of the date of service of the order.

(3) On 16th December 2014, the surveyor member noted that none of the required works had been carried out, and that all of the required works were outstanding.

(4) In the circumstances the committee can only come to the conclusion that the Landlord has chosen to ignore the terms of the repairing standard enforcement order dated 25th September 2014. Accordingly the Committee decides to impose a rent relief order. As the landlord has chosen not to carry out the repairs required, and the quality of the tenant's peaceful enjoyment of the property is adversely affected by the Landlord's decision, the Committee decided that significant restriction of rental is merited. The Committee therefore granted a Rent Relief Order for 75% of the monthly rental.

(5) A Landlord or a 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 certificate are suspended until the Appeal is abandoned or finally determined. Where the Appeal is abandoned or finally determined by confirming the decision, the decision and the certificate are to be treated as having effect from the day on which the Appeal is abandoned or so determined.

Paul Doyle

Signed:..

Paul Doyle, Chairperson