



Repairing Standard Enforcement Order

Ordered by the Private Rented Housing Committee

Re: Property at 51 Elizabeth Avenue, Stenhousemuir, Larbert FK5 4BJ being the westmost first floor flat edged blue on the Title Plan of the block 47, 49, 51 and 53 ELIZABETH AVENUE, with the garden ground tinted pink on the said plan, all as more particularly described in Land Certificate Title number STG 46444 (hereinafter referred to as "the house")

PRHP Reference: PRHP/RP/13/0171

The Parties:

MISS MARNIE PARKES, 51 Elizabeth Avenue, Stenhousemuir, Larbert, FK5 4BJ ("the tenant")

MR ANGUS McEWAN, c/o 1 Estate Agents, 244 Stonelaw Road, Burnside, Glasgow, G73 3SA ("the landlord")

Reference number: PRHP/RP/13/0171

Notice to ANGUS McEWAN ("the landlord")

Whereas in terms of its direction of 29th April 2015, the Private Rented Housing Committee ("the committee") directed that the landlord produce, within 28 days a specialist report to reveal the extent of the issue of condensation within 51 Elizabeth Avenue, Stenhousemuir ("the property"); the cause of condensation within the property; and recommendations on which works are required to remedy the problem of condensation, to assist the committee to determine whether the house meets the repairing standard in terms of section 14 (1) (b) of the Housing (Scotland) Act 2006. The Landlord has failed to produce that report. Accordingly, the committee determine that the landlord has failed to comply with the terms of the direction 29th April 2015.

The committee now requires the landlord

- (i) to undertake detailed, specialist investigation to reveal the extent of the issue of condensation within the property; the cause of the condensation; and recommendations on which works are required to remedy the problem of condensation;
- (ii) to produce a report to the PRHP with the findings of these investigations within 28 days of the date of receipt of this order;
- (iii) to carry out such works as may be necessary to eradicate excessive levels of condensation and dampness to ensure that the property meets the repairing standard and that any damage caused by the carrying out of any work in terms of this Order is made good.
- (iv) the committee requires this work to be completed within 6 weeks of the date of receipt of this order;

Right of Appeal

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.

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 determined.

IN WITNESS WHEREOF these presents typewritten on this are signed by Simone Sweeney, Chairperson of the Private Rented Housing Committee, at Glasgow, on 4th day of August, Two Thousand and Fifteen in the presence of the undernoted witness:

S SWEENEY

..... Chairperson

..... Witness

..... Designation

FACULTY OF ADVOCATES

TARRANENT HOUSE EDINBURGH SHIRF

..... Date

11th August 2015.