



Notice of a decision to Vary

A Repairing Standard Enforcement Order

Ordered by the Private Rented Housing Committee

prhp Ref: PRHP/RP/14/0185

Re : Property at 1/1, 45 Lyon Street, Dundee DD4 6RA ("the Property")

The Parties:-

Angela Jane Baird, 10 Panmure Street, Carnoustie DD7 7NB ("the Landlord")

Michael Gow, 1/1, 45 Lyon Street, Dundee DD4 6RA ("the Tenant")

NOTICE TO ANGELA JANE BAIRD ("the Landlord")

The Private Rented Housing Committee having determined on 21 July 2015 that the **Repairing Standard Enforcement Order** relative to the Property served on 19 March 2015 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 respect:-

The steps which the Committee require the landlord to take in complying with the order are amended as follows:- by extending the period for compliance with paragraph 1 (relating to windows) until 31 August 2015.

Subsection 25(3) of the Housing (Scotland) Act 2006 does not 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 and the preceding page(s) are executed by John McHugh, solicitor, 3 Ponton Street, Edinburgh, Chairperson of the Private Rented Housing Committee at Edinburgh on 21 July 2015 before this witness:-

J MCHUGH

_____ witness

_____ Chairman

_____ name in full

_____ Address

_____ Occupation



DETERMINATION BY PRIVATE RENTED HOUSING COMMITTEE

**STATEMENT OF DECISION OF THE PRIVATE RENTED HOUSING COMMITTEE
UNDER SECTIONS 25(1)
OF THE HOUSING (SCOTLAND) ACT 2006**

In connection with

Property at 1/1, 45 Lyon Street, Dundee DD4 6RA (hereinafter referred to as “the House”)

Michael Gow, 1/1, 45 Lyon Street, Dundee DD4 6RA(hereinafter referred to as “the Tenant”)

Angela Jane Baird, 10 Panmure Street, Carnoustie DD7 7NB(hereinafter referred to as “the Landlord”)

PRHP REFERENCE PRHP/RP/14/0185

DECISION

The Committee decided to vary the Repairing Standard Enforcement Order dated 3 February 2015 (“the RSEO”) by extending the period for compliance with the remaining outstanding provisions to 31 August 2015.

The Committee comprised the following members:

John McHugh, Chairperson
Sally Wainwright, Housing Member
Geraldine Wooley, Surveyor Member

Reasons for the Decision

The following requirement of the RSEO remains outstanding:

To repair or replace the windows in order that they are reasonably wind and watertight.

On re-inspection by the Surveyor Member of the Committee on 12 June 2015, all of the requirements of the RSEO were identified as having been met with the exception of paragraph 1 (relating to the windows) and paragraph 4 (relating to the provision of an electrical safety report). On 28 June 2015, the Landlord's agent provided to the office of the PRHP a suitable Electrical Installation Condition Report.

The only remaining outstanding requirement remains in relation to the windows. The Landlord has indicated that arrangements are in hand for the replacement of the windows but that further time is required for completion of this work. In the circumstances, it appears reasonable to allow the Landlord until the end of August 2015 for completion of the required works.

Decision

The Committee, considering the terms of section 25(1) of the Act, determined that the RSEO should be varied by extending the period for compliance with the RSEO until 31 August 2015.

The decision of the Committee was unanimous.

Right of Appeal

Section 64 of the Act provides a right of appeal to a landlord or tenant aggrieved by a decision of a private rented housing committee. An appeal may be made to the Sheriff within 21 days of the Landlord or Tenant being informed of the 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.

J MCHUGH

John McHugh
Chairperson

Date: 21 July 2015