



Notice of a decision to Vary

A Repairing Standard Enforcement Order

Ordered by the Private Rented Housing Committee

PRHP REFERENCE G3/125/12

RE: Property at Flat 0/2, 130 Berkeley Street, Glasgow G3 7HY, being the subjects more particularly described in Land Certificate number GLA147141 (hereinafter referred to as "the house")

The Parties

Ms. Flaura Wilson, formerly of Flat 0/2, 130 Berkeley Street, Glasgow G3 7HY ("the Tenant")

Mr. Randeep Singh Kohli, of Kohli Properties, 3 Redlands Terrace, Glasgow G12 0RW (represented by Mrs. Kuldip Kohli and Ms. Claire Vine of said Kohli Properties) ("the Landlord")

NOTICE TO Mr. Randeep Singh Kohli ("the Landlord")

The Private Rented Housing Committee having determined that the Repairing Standard Enforcement Order relative to the house dated 3 December 2012 and served on 4 December 2012 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 time limit for carrying out and completion of the works specified in the said Repairing Standard Enforcement Order will be extended to 4 June 2013.

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 typewritten on this and the preceding page are executed by Mrs. Aileen Margaret Devanny, Solicitor, Motherwell, Chairperson of the Private Rented Housing Committee at Glasgow on Tenth day of January 2013 in the presence of the undernoted witness :-

N Russell Witness

A Devanny

Chairperson

NATASHA RUSSELL Name in full

450 Argyle Street Address

Glasgow, G2 8LH

Panel Clerk Occupation



DETERMINATION BY PRIVATE RENTED HOUSING COMMITTEE

**STATEMENT OF DECISION OF THE PRIVATE RENTED HOUSING COMMITTEE
UNDER SECTION
26(1) OF THE HOUSING (SCOTLAND) ACT 2006**

In connection with

**Property at Flat 0/2, 130 Berkeley Street, Glasgow G3 7HY
(Hereinafter referred to as "the house")**

**Ms. Flaura Wilson, formerly of Flat 0/2, 130 Berkeley Street, Glasgow G3 7HY ("the
Tenant")**

**Mr. Randeep Singh Kohli, of Kohli Properties, 3 Redlands Terrace, Glasgow G12
0RW (represented by Mrs. Kuldip Kohli and Ms. Claire Vine of said Kohli
Properties) ("the Landlord")**

PRHP REFERENCE G3/125/12

DECISION

The Committee has considered the representations of the Landlord in the context that the Tenant has vacated the house and the works required in the Repairing Standard Enforcement Order (hereinafter referred to as "RSEO") possibly involve common repairs which are in the process of being arranged and executed. In these circumstances the Committee consider that there should be a variation of the Repairing Standard Enforcement Order in terms of Section 25(1) (a) of the Housing (Scotland) Act 2006. The decision of the Committee was unanimous.

Findings in Fact

1. A Repairing Standard Enforcement Order (RSEO) relative to the house dated 3 December 2012 was issued requiring works as specified in the Order to be completed within a timescale of 60 days of service of the Order on the parties.
2. Following the issue of the RSEO, the Landlord wrote to the Committee indicating that eight out of nine co-owners had agreed to the common repairs but as a consequence of the failure of the ninth co-owner to agree the repairs, the factor had withdrawn from factoring the block. The Landlord is now co-ordinating and arranging the repairs but he feels that the time allocated in the RSEO for

completing the works may be insufficient. He has requested an extension of the timescale in the RSEO for completion of works until 4 June 2013.

3. The Committee comprised the following members - Mrs. Aileen Devanny, Legal Member; and Mr. Robert Buchan, Surveyor Member

Reasons for the Decision

The Committee considers, on the basis of the Landlord's written representations that repairs are being commissioned and carried out to the house and it is probably unlikely that these works will be completed within the timescale in the RSEO and it would seem appropriate given this and the efforts and undertaking of the Landlord to complete the works to vary and extend the RSEO until 4 June 2013 to allow the Landlord additional time to complete the works detailed in the RSEO. However, given that the house is occupied by tenants, albeit that they were not the original complainers, and that these tenants are living in accommodation which is affected by dampness with consequent concerns for health, the Committee would suggest that the works in the RSEO are completed as a matter of priority, and an extension of the timescale for completion of works in the RSEO until 4 June 2013 should be sufficient time for all works within the RSEO to be completed.

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.

Effect of Section 63

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.

A Devanny

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Chairperson,
10th January 2013