



NOTICE OF A DECISION OF THE PRIVATE RENTED HOUSING  
COMMITTEE TO VARY A REPAIRING STANDARD ENFORCEMENT ORDER UNDER SECTION  
25 OF THE HOUSING (SCOTLAND) ACT 2006

In connection with

**Property at 5 Thornbridge Road, Falkirk, FK2 9AZ** ("the property")

**WILLIAM STEWART**, 5 Thornbridge Road, Falkirk, FK2 9AZ ("the tenant")

**MOHAMMED ALI**, c/o Roy McIntosh, RTM Lettings and Sales, 178 Grahams Road, Falkirk, FK2 9AZ  
("the landlord")

Reference number: PRHP/RP/14/0081

Title Number: STG51885

Repairing Standard Enforcement Order against:

**MOHAMMED ALI**, c/o Roy McIntosh, RTM Lettings and Sales, 178 Grahams Road, Falkirk, FK2 9AZ  
("the landlord")

**Variation of order:**

The Private Rented Housing Committee ("the committee") having determined on 25<sup>th</sup> August 2015 that the Repairing Standard Enforcement Order ("RSEO") relative to the property dated 27<sup>th</sup> March 2015 should be varied, the committee hereby varies the RSEO to the effect that the period allowed for completion of the works required by the RSEO is extended to 19<sup>th</sup> November 2015.

**Background:**

The committee issued a RSEO and determination dated 27<sup>th</sup> March 2015 requiring the landlord:

- (i) To replace or carry out such works to the guttering to ensure that it is water tight and is that it is in a reasonable state of repair and functioning adequately;
- (ii) To replace or secure the electrical socket in the back bedroom of the property to ensure that it is fixed safely to the wall and in proper working order;
- (iii) To replace the shower unit or to carry out such works to the sealing of the unit to ensure that the shower is water tight;

- (iv) To fix a weather seal to the foot of the back door in the kitchen to address the gap between the door and the kitchen wall to ensure that draughts into the property are eliminated.

A period of 4 weeks was given to the landlord for the works to be completed.  
S Sweeney

Chairperson,  
B Divers

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Witness....

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Witness name: Barry Divers, Advocate

Designation: Faculty of Advocates, Parliament House, 11 Parliament Square, Edinburgh, EH1 1RF



STATEMENT OF FACTS AND REASONS FOR VARIATION OF A REPAIRING STANDARD  
ENFORCEMENT ORDER UNDER SECTION 25 OF THE HOUSING (SCOTLAND) ACT 2006

In connection with

**Property at 5 Thornbridge Road, Falkirk, FK2 9AZ** ("the property")

**WILLIAM STEWART**, 5 Thornbridge Road, Falkirk, FK2 9AZ ("the tenant")

**MOHAMMED ALI**, c/o Roy McIntosh, RTM Lettings and Sales, 178 Grahams Road, Falkirk, FK2 9AZ  
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("the landlord")

**Statement of reasons for variation of order**

A re-inspection of the property was undertaken by the surveyor member of the committee on 29<sup>th</sup> July 2015. Present at the re-inspection was a new tenant, Michelle Cameron. The tenant who had brought the application before the Private Rented Housing Panel had vacated the property prior to the committee's original inspection, as per the terms of the committee's determination of 27<sup>th</sup> March 2015. During his re-inspection, the surveyor was advised by Ms Cameron that a new letting agent had been appointed by the landlord to manage the property.

Section 25 of the Housing (Scotland) Act 2006 sets out-

**25 Variation and revocation of repairing standard enforcement orders**

*(1) The private rented housing committee which made a repairing standard enforcement order may, at any time—*

*(a) vary the order in such manner as they consider reasonable, or*

*(b) where they consider that the work required by the order is no longer necessary, revoke it.*

*(2) Where subsection (3) applies, the committee must vary the repairing standard enforcement order in question—*

*(a) so as to extend, or further extend, the period within which the work required by the order must be completed, and*

*(b) in such other manner as they think fit.*

*(3) This subsection applies where—*

*(a) the committee consider, on the submission of the landlord or otherwise, that the work required by a repairing standard enforcement order has not been, or will not be, completed during the period within which the order requires the work to be completed, and*

*(b) the committee—*

*(i) consider that satisfactory progress has been made in carrying out the work required, or*

*(ii) have received a written undertaking from the landlord stating that the work required will be completed by a later date which the committee consider satisfactory.*

The committee being satisfied that the works required had not been completed within the timescales set out in the order in terms of section 25 (3) (a) and that there has been a change in letting agent since the order was issued, the committee determined, in terms of section 25 (2) that an extended period should be given to the landlord to complete the works set out within the RSEO in light of the letting agents having been only recently appointed.

### **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 25<sup>th</sup> day of August, Two Thousand and Fifteen in the presence of the undernoted witness:

S Sweeney

Chairperson...

B Divers

Witness...

Witness name: Barry Divers, Advocate

Designation: Faculty of Advocates, Parliament House, 11 Parliament Square, Edinburgh, EH1 1RF