



**Statement of decision of the Private Rented Housing  
Committee under Section 25(1) of the Housing  
(Scotland) Act 2006**

prhp Ref: PRHP/RP/14/0182

**Re : Property at 16 Arabella, Nigg Station, Tain, IV19 1QH (“the Property”)**

**The Parties:-**

Enrico Butzke, residing at 16 Arabella, Nigg Station, Tain, IV19 1QH (“the tenant”),  
and

William McGillivray, Glastullich Farm, Nigg Station, Tain, IV19 1NB (“the landlord”)

**NOTICE TO** William McGillivray, Glastullich Farm, Nigg Station, Tain, IV19 1NB  
 (“the landlord”)

**Decision**

**The Committee, having made such enquiries as it saw fit for the purposes of determining whether the Landlord has complied with the Repairing Standard Enforcement Order (“RSEO”) in relation to the Property determined that the Landlord should be given an extension of a further two calendar months to the period allowed for completion of the works required in terms of Section 25(1) of the Housing (Scotland) Act 2006 (“the Act”)**

Background

1. Reference is made to the determination of the committee dated 6 November 2014, which determined that the Landlord had failed to comply with the duty imposed by section 14 (1)(b) of the Act, and that he failed to ensure that the property met the repairing standard. The works required by the RSEO were:

(a) To overhaul the electrical installation and ensure that the electrical installation is earthed, then to obtain and exhibit an updated and satisfactory domestic electrical installation condition report from a registered NICIEC contractor.

(b) To repair or replace the windows throughout the property to render them wind and watertight and in a reasonable state of repair.

(c) To replace the missing floorboards in bedroom 2 on the first floor of the property.

(d) To repair, refit or replace the damaged and defective bath panel.

(e) To repair, refit or replace the mixer tap on the bath.

(f) To replace the front door of the property with a door of suitable quality and fit a functioning weather seal to make the house wind and watertight.

(g) To repair the rear door surround and to remove the old weather seal from that door and replace it with a new and working weather seal.

(h) To replace the central heating pump to a safe dry place within the property.

All within 28 days of the date of service of the order.

2. By email dated 18 August 2015, the Landlord wrote to the committee to advise that further time was required to complete the works because of the nature & extent of the works required.

3. The Committee considered whether to grant the Landlord an extension of time to allow the required works to be carried out under the RSEO. The Committee noted the extent of the works required to comply with the terms of the RSEO and the Landlords' willingness to carry out the works. On that basis the Committee was satisfied that it was appropriate to extend the period for compliance with the terms of the RSEO by a further two calendar months.

#### **Decision**

4. The decision of the Committee was unanimous

#### **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.

P DOYLE

Signed.....  
Date.....10/9/2015.....  
Chairperson



## Notice of a decision to Vary

### A Repairing Standard Enforcement Order

Ordered by the Private Rented Housing Committee

prhp Ref: PRHP/RP/14/0182

**Re : Property at 16 Arabella, Nigg Station, Tain, IV19 1QH ("the Property")**

**The Parties:-**

Enrico Butzke, residing at 16 Arabella, Nigg Station, Tain, IV19 1QH ("the tenant"),

and

William McGillivray, Glastullich Farm, Nigg Station, Tain, IV19 1NB ("the landlord")

**NOTICE TO** William McGillivray, Glastullich Farm, Nigg Station, Tain, IV19 1NB ("the landlord")

The Private Rented Housing Committee, having determined on 10 September 2015 that the Repairing Standard Enforcement Order relative to the property, served on \_\_\_ October 2014 should be varied. The said Repairing Standard Enforcement Order is hereby varied from the date of service of this notice in the following respect:

The period allowed for the completion of the work required by the order is extended for a further two calendar months from the date of service of this notice.

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 are signed by Paul Doyle, solicitor, 24 Haddington Place, Edinburgh, chairperson of the Private Rented Housing Committee at Edinburgh on 10 September 2015 before this witness:-

K BOETTCHER \_\_\_\_\_ witness

P DOYLE

\_\_\_\_\_ chairman

KIRSTEN BOETTCHER  
24 HADDINGTON PLACE  
EDINBURGH EH7 4AF