



Minute of Variation

By the Private Rented Housing Committee

PRHP/RP/15/0007

Search Number 2015-00537791

Re:

**The residential dwelling house at 12 Elgin Road, Lossiemouth, Elgin
IV31 6EE as described in a Feu Disposition to James Donald Cameron
and another recorded on 4 February 1992**

("the Property")

The Parties:-

**Mrs Margaret Penrice
Formerly resident at the Property**

("the Tenant")

and

**Mr C Wattiez
C/o Belvoir (Moray) Ltd
22 Thunderton Place
Elgin
IV30 1BG**

("the Landlord")

The Committee comprised:

**Mr Ron Handley – Chairperson
Mr Colin Hepburn – Surveyor**

Background

1. In terms of their decision dated 14 July 2015, the Private Rented Housing Committee ("the Committee") determined that the Landlord had failed to comply with the duty imposed by Section 14(1) (b) of the Housing (Scotland) Act 2006 and had failed to ensure that the structure and exterior of the Property was wind and water tight.

2. Accordingly the Committee made a Repairing Standard Enforcement Order ("the RSEO") requiring the Landlord to carry out such works as were necessary for the purposes of ensuring that the Property met the Repairing Standard and that any damage caused by the carrying out of any work in terms of the RSEO was made good.
3. In accordance with the RSEO the Landlord was required carry out a number of works including the replacement of the external front door.
4. In a letter of 22 July 2015 to the Panel, the Landlord submitted that it was not necessary to replace the door and that repairs could be effected. He requested permission to carry out repairs to the door.
5. Having considered the request the Committee agreed that the door could be repaired (and not replaced). The Committee reminded the Landlord that the door requires to be wind and water tight. The Landlord is also required to carry out all other works as detailed in the RSEO.
6. A Landlord or a 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.
7. Where such an appeal is made, the effect of the decision and of the RSEO 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.

R Handley

Date 24 July 2015

R Handley
Chairperson