



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

**PRHP Ref:** PRHP/RP/15/0072

**Property at:** 32 Auchmill Road, Aberdeen, AB21 9LD ("the property")

**Title No:** ABN10355

**The Parties**

Angela Gordon, residing at 32 Auchmill Road, Aberdeen, AB21 9LD ("the tenant")

and

Chalmers Bakery Ltd (Company number 92467), a company incorporated under the Companies Acts and having their registered office at 15 Golden Square, Aberdeen ("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 four weeks to the period allowed for completion of the works required in terms of Section 25(1) of the Housing (Scotland) Act 2006 ("the Act")**

Committee Members

Paul Doyle	Chairperson
Mike Scott	Housing Member
Angus Anderson	Surveyor Member

Background

1. Reference is made to the determination of the committee dated 21 July 2015, 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 instruct an appropriately qualified contractor to carry out a standard electrical installation condition report on the property and to carry out any works which are shown to be necessary in terms of said report to bring the electrical installations and wiring throughout the property into a proper state of repair and to proper working order, with particular attention to the immersion heater, kitchen water heater, kitchen/living room extractor fan and loose socket. Thereafter to produce an electrical installation compliance report dated after today's date;

(b) Replace the broken and rotten sections of wood on the external stair to the property and to fit an anti-slip surface on each of the step treads on that stair;

(c) Properly secure the loose hot water tap on the bath in the property;

(d) Inspect, overhaul and repair as necessary, the roof of the property;

2. On 10 September 2015 the surveyor member of the committee inspected the property. He found that some works had been carried out by the landlord, but that those works were not sufficient to meet the requirements of the Repairing Standard Enforcement Order. On 30 September 2015 the landlord's solicitors sought further time to enable the necessary works to be brought to completion.

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 four weeks.

#### **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.....Chairperson.

Date.....27/10/2015.....



## Notice of a decision to Vary

### A Repairing Standard Enforcement Order

Ordered by the Private Rented Housing Committee

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Property at: 32 Auchmill Road, Aberdeen, AB21 9LD ("the property")

Title No.: ABN10355

#### The Parties

Angela Gordon, residing at 32 Auchmill Road, Aberdeen, AB21 9LD ("the tenant")  
and

Chalmers Bakery Ltd (Company number 92467), a company incorporated under the Companies Acts and having their registered office at 15 Golden Square, Aberdeen ("the landlord")

The Private Rented Housing Committee, having considered representations from the landlord, determined on 9 October 2015 that the Repairing Standard Enforcement Order relative to the property, served on 24 July 2015 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 four weeks 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 27 October 2015 before this witness:-

K BOETTCHER

witness

P DOYLE

chairman

Secretary  
24 Haddington Place  
Edinburgh