



Notice of a decision to Vary

A Repairing Standard Enforcement Order

Ordered by the Private Rented Housing Committee

Re 285C Rosemount Place, Aberdeen, AB25 2YB being the subjects described in the Disposition by the executor of Graham Murdoch Calder in favour of Alexander James MacPherson and Ruth Isobel MacPherson recorded in the division of the General Register of Sasines for the County of Aberdeen on 5th July 1995 ('the Property')

The Parties:-

Ms Susan Hay residing formerly at 285C Rosemount Place, Aberdeen, AB25 2YB and now at 14C Short Loanings, Aberdeen, AB25 2TZ ('The Tenant')

Alexander MacPherson and Mrs Ruth MacPherson residing at Manse of Buchanan, Drymen, Glasgow, G63 0AQ ('The Landlords')

REF:PRHP/RP/15/0168

NOTICE TO The Landlords

The Private Rented Housing Committee having considered the Landlords' application to have The **Repairing Standard Enforcement Order** ('RSEO') revoked or varied determined that the RSEO should be **VARIED** as follows:

The date for completion of items specified in the RSEO is extended to 18th December 2015..

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 typewritten on this and the preceding page are executed by Jacqui Taylor, Solicitor, Chairperson of the Private Rented Housing Committee at Irvine on 3rd December 2015 before the undernoted witness:

Signed..... **J. TAYLOR** Date 3Rd December 2015
Chairperson

K. BYRNEwitness: KEIRSTEN BYRNE, 65, High Street, Irvine



Determination by Private Rented Housing Committee

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

Re 285C Rosemount Place, Aberdeen, AB25 2YB being the subjects described in the Disposition by the executor of Graham Murdoch Calder in favour of Alexander James MacPherson and Ruth Isobel MacPherson recorded in the division of the General Register of Sasines for the County of Aberdeen on 5th July 1995 ('the Property')

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REF:PRHP/RP/15/0168

Decision

The Committee, having considered the Landlords representations for the purposes of determining whether the Repairing Standard Enforcement Order should be varied determined that the order should varied.

Background

1. The Repairing Standard Enforcement Order relative to the Property dated 8th October 2015 (hereinafter referred to as 'RSEO') required the Landlords to:-

- (1) Replace the missing carpets or flooring in the kitchen and bathroom.
- (2) Repair or replace the cooker and washing machine.
- (3) Reinstate all broken and/ or loose kitchen unit doors and drawers to render the kitchen units in proper working order.
- (4) Provide a valid Gas Safety Certificate.
- (5) Provide a valid Electrical Installation Condition Report and a valid electrical PIR certificate confirming that the electrical installations in the Property (including the repaired or replaced cooker and washing machine) are in proper working order.

The RSEO specified that these works must be carried out and completed by 27th November 2015.

2. The Committee members were Jacqui Taylor (Chairperson), Ian Mowat (Surveyor Member).
3. The Landlords requested the variation of the RSEO. They sent written representations advising that the Tenant had left the Property and they have instructed the required works to be carried out to the Property. They confirmed that the Property would not be re-let until all the work was completed.

Decision

- 6. The Committee considered the written representations provided. They were most concerned that the Landlords had still to produce the valid Gas Safety Certificate, the valid Electrical Installation Condition Report and the valid electrical PIR certificate confirming that the electrical installations in the Property (including the repaired or replaced cooker and washing machine) are in proper working order.

They accepted that the Landlords are arranging for the works to be carried out and agreed to vary the RSEO to provide an extension to 18th December 2015 for compliance with the RSEO.

- 7. The Committee therefore decided that they would vary the RSEO as stated.
- 8. The decision of the Committee was a majority decision.

Right of Appeal

- 9. **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

10. 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.

Signed **J. TAYLOR** Date 3rd December 2015
Chairperson