



Notice of a decision to Vary

A Repairing Standard Enforcement Order

Ordered by the Private Rented Housing Committee

prhp Ref: PRHP/ RP/16/0180

Re : Property at 5 Helmsdale Drive, Dundee DD3 0NJ more particularly described in Land Certificate Title number ANG58742 (“the Property”)

The Parties:-

Grace Hocking and John Adams, residing at 5 Helmsdale Drive, Dundee DD3 0NJ (hereinafter referred to as “the Tenant”)

Stuart and Yvette Hunt residing at 18 Bank Avenue, Downfield, Dundee DD3 8NY (hereinafter referred to as “the Landlord”)

NOTICE TO STUART AND YVETTE HUNT

The Private Rented Housing Committee having determined on 3 October 2016 that the **Repairing Standard Enforcement Order** relative to the Property dated 28 July 2016 should be varied, the said **Repairing Standard Enforcement Order is hereby varied** with effect from the date of service of this Notice in the following respect:-

The steps which the Committee require the Landlord to take in complying with the Order are amended as follows:- by extending the period for compliance with the Order by 60 days from the date of intimation of this decision.

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 type written on this and the preceding page are executed by John McHugh, Solicitor, 65 Haymarket Terrace, Edinburgh, Chairperson of the Private Rented Housing Committee at Edinburgh on 3 October 2016 before this witness:-

Gillian McHugh

_____ witness

John McHugh

_____ Chairman

_____ name in full

_____ Address

65 HAYMARKET TERRACE
EDINBURGH

EH12 5TD



DETERMINATION BY PRIVATE RENTED HOUSING COMMITTEE

**STATEMENT OF DECISION OF THE PRIVATE RENTED HOUSING COMMITTEE
UNDER SECTION 25(1)
OF THE HOUSING (SCOTLAND) ACT 2006**

In connection with

**Property at 5 Helmsdale Drive, Dundee DD3 0NJ (hereinafter referred to as
“the House”)**

**Grace Hocking and John Adams, residing at 5 Helmsdale Drive, Dundee DD3 0NJ
(hereinafter referred to as “the Tenant”)**

**Stuart and Yvette Hunt residing at 18 Bank Avenue, Downfield, Dundee DD3
8NY (hereinafter referred to as “the Landlord”)**

PRHP REFERENCE PRHP/RP/16/0180

DECISION

The Committee decided to vary the Repairing Standard Enforcement Order dated 28 July 2016 (“the Order”) by extending the period for compliance with the Order by 60 days from the date of intimation of this decision.

Reasons for the Decision

The surveyor member carried out a re-inspection on 8 September 2016. He found that items 1, 2 and 3 and 5 of the RSEO had been completed. Items 4 (windows), 6 (drains investigations) and 7 (roof repairs) were outstanding. The Committee considered the written submissions made on behalf of the Landlord dated 12 and 23 September 2016 in which the Landlord indicated that four windows had now been replaced; that the Drain Doctor had completed some works and had been instructed to carry out further precautionary works; and that roof works had been instructed and would commence in November 2016. No representations have been received from the Tenant since the re-inspection.

Having regard to the Landlord's representations and the terms of section 25(1), we consider that the variation of the Order to provide a further 60 days for compliance is reasonable.

Decision

The Committee, considering the terms of section 25(1) of the Act, determined that the Order should be varied by extending the period for compliance with the Order by a further 60 days.

The decision of the Committee was unanimous.

Right of Appeal

Section 64 of the Act provides a right of appeal to a landlord or tenant aggrieved by a decision of a private rented housing committee. An appeal may be made to the Sheriff within 21 days of the Landlord or Tenant being informed of the decision.

Where such an appeal is made, the effect of the decision and 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.

John M McHugh
Chairperson

Date: 3 October 2016