



Notice of Decision to Vary

Repairing Standard Enforcement Order

Ordered by the Private Rented Housing Committee

Re Laverockhall Cottage, Old Glasgow Road, Stewarton, KA3 5JU ('the Property')

The Parties:-

Dr Urmila Ratnasabapathy residing at Laverockhall Cottage, Old Glasgow Road, Stewarton aforesaid ('The Tenant')

Mr Porter per J C Roxburgh properties Limited, 35 Main Street, Stewarton, KA3 5BS ('The Landlord')

NOTICE TO

Mr Porter per J C Roxburgh Properties Limited, 35 Main Street, Stewarton, KA3 5BS

Following application by the Landlord The Private Rented Housing Committee have determined that the works required by the **Repairing Standard Enforcement Order** ('RSEO') relative to the Property, namely:

- (1) Repair the roof of the sunroom to render it watertight.
- (2) Repair the greenhouse to render it wind and water tight.
- (3) Eradicate the dampness in the snug room and front bedroom of the property and carry out necessary redecoration.
- (4) Install hardwired smoke alarms to ensure that they fully comply with current requirements.

Should be varied by extending the period allowed for the completion of the required works to 10th August 2012.

Subsection 25(3) of the Housing (Scotland) Act 2006 does 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.

Signed..... **J Taylor** Date 19th June 2012
Chairperson

.. E Shedden

..witness: ELIZABETH GIFFEN SHEDDEN, 65, High Street, Irvine



Statement relative to the Notice of the decision to Vary

The Repairing Standard Enforcement Order

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Dr Urmila Ratnasabapathy residing at Laverockhall Cottage, Old Glasgow Road, Stewarton aforesaid ('The Tenant')

Mr Porter per J C Roxburgh properties Limited, 35 Main Street, Stewarton, KA3 5BS ('The Landlord')

Decision

The Committee, having made such enquiries as it saw fit for the purposes of determining whether the Repairing Standard Enforcement Order relative to the Property should be varied in terms of Section 25 of the Housing (Scotland) Act 2006 agreed that the RSEO should be varied.

1. The RSEO relative to the Property required the Landlord to:
 - (1) Repair the roof of the sunroom to render it watertight.
 - (2) Repair the greenhouse to render it wind and water tight.
 - (3) Eradicate the dampness in the snug room and front bedroom of the property and carry out necessary redecoration.
 - (4) Install hardwired smoke alarms to ensure that they fully comply with current requirements.

The RSEO specified that these works must be carried out and completed by 30th June 2012.

2. The Landlord's agent applied to the Committee for the time period for completion of the required works to be extended. They advised that the Tenant was vacating the property on 30th June 2012 and as the internal works involve significant internal repairs, for the convenience of the current Tenant they requested that the works should be completed after the current Tenant had vacated.
3. The Tenant confirmed to the Committee that she would be vacating the Property on 30th June 2012.

Summary of the issues

Decision

4. The Committee accepted the submission by the Landlord's agents that it would be best for the internal works to be completed after the Tenant had vacated the Property. They reflected that the fire authority had previously fitted fire angel smoke alarms which provided an interim provision for detection of fires pending installation of the hard wired smoke alarms. Accordingly they agreed to vary the RSEO to allow the Landlord additional time to complete the outstanding works.

5. The Committee proceeded to vary the Repairing Standard Enforcement Order in terms of section 25 by extending the time for the outstanding works to be completed to 10th August 2012.
6. The decision of the Committee was unanimous.

Right of Appeal

7. 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

8. 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 19th June 2012
Chairperson