

# Determination by Private Rented Housing Committee

## Statement of decision of the Private Rented Housing Committee under Section 24 (1) of the Housing (Scotland) Act 2006

Re : Corsehead Farm, Glenluce, Newton Stewart, DG8 OJF ("the Property")

TITLE NUMBER: WGN 4312

The Parties:-

Robert William Gascoyne and Mrs Janet Gascoyne, residing at Corsehead Farm, Glenluce, Newton Stewart, DG8 OJF ("Tenants")

John J M McIntosh, residing at Genoch Mains, Dunragit, Stranraer ("the Landlord")

### Decision

The Committee having made such enquiries as are appropriate and having determined that the Repairing Standard Enforcement Order relative to the property previously served on 7 October 2008 should be varied have varied the said Repairing Standard Enforcement Order by extending the period allowed for the completion of the work required by the order to 2 October 2009 in accordance with and in terms of Section 25(3) of The Housing (Scotland) Act 2006.

### Background

1. By letter dated 28 April 2008 the agents for the Landlord indicated that the extent of the required works in terms of the Repairing Standard Enforcement Order was such that a greater amount of planning was required than originally envisaged. As part of the works to eradicate dampness it was considered necessary to remove the chimneys of the property. In addition various health and safety issues had arisen which had delayed the works.
2. By letter dated 8 July 2009 the Landlord's agents confirmed that the Landlord undertook to complete the works required by the Repairing Standard Enforcement Order by not later than 2 October 2009.
3. By letter dated 15 July 2009 the Tenant's agents confirmed that they had no objection to the variation to the existing Repairing Standard Enforcement Order on the basis that the works would now require to be completed by 2 October 2009.
4. The Private Rented Housing Committee being satisfied that satisfactory progress had been made in carrying out the work required, and having received a written undertaking from the Landlord stating that the work required would be completed by not later than 2 October 2009, determined to vary the existing Repairing Standard Enforcement Order and required the work in terms of the Order to be completed by not later than 2 October 2009.

**A Cowan**

Signed ..  
Chairperson

Date... 16/7/09 .....

**S Lindie**

..Witness

..... SANDRA LINDIE ..... Full Name

..... 7 WEST GEORGE ..... Address

..... STREET GLASGOW .....  
.....



## Notice of a decision to Vary

### A Repairing Standard Enforcement Order

#### Ordered by the Private Rented Housing Committee

prhp Ref: PRHP/DG8/24/08

Re: Property at Corsehead Farm, Glenluce, Newton Stewart, DG8 OJF ("the Property")

TITLE NUMBER: WGN 4312

#### The Parties:-

Robert William Gascoyne and Mrs Janet Gascoyne, residing at Corsehead Farm, Glenluce, Newton Stewart, DG8 OJF ("Tenants")

John J M McIntosh, residing at Genoch Mains, Dunragit, Stranraer ("the Landlord")

#### NOTICE TO ROBERT WILLIAM GASCOYNE AND MRS JANET GASCOYNE ("THE TENANTS") AND JOHN J M MCINTOSH ("THE LANDLORD")

The Private Rented Housing Committee having determined on 28<sup>th</sup> August 2008 that the **Repairing Standard Enforcement Order** relative to the Property served on 7<sup>th</sup> October 2008 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 respects:-

1. The period allowed for the completion of the work required by the order is extended to 2<sup>nd</sup> October 2009.

Subsection 25(3) of the Housing (Scotland) Act 2006 is applicable 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(s) are executed by Andrew Stuart Cowan, Solicitor, 7 West George Street, Glasgow G2 1BA, Chairperson of the Private Rented Housing Committee at Glasgow on 16<sup>th</sup> July 2009 before this witness:-

**C Miller**

witness

**A Cowan**

chairman

*ANDREW COWAN*

Carol Anne Millar  
23 Magnolia Drive  
Glasgow  
G72 7NP

Legal Secretary