

## **Variation of a Repairing Standard Enforcement Order**

**Ordered by the Private Rented Housing Committee (“the Committee”)**

**Re: The residential dwellinghouse at 28 Allison Street, Carstairs Junction, Carstairs, Lanark ML11 8RG (“the Property”).**

**Title No: LAN113746**

**The Parties:-**

**Mr John Bowie resident at the Property (“the tenant”).**

**and**

**Miss Charlotte Low, per Avenues Property Letting and Management, Crowhill Business Centre, 18 Crowhill Road, Suite 6, Bishopbriggs, Glasgow G64 1QY (“the landlord”).**

### **NOTICE TO THE LANDLORD**

In their decision of 11 January 2009, the Committee determined that the landlord had failed to comply with the duty imposed by Section 14 (1)(b) of the Housing (Scotland) Act 2006. Consequently, on 12 January 2009 the Committee issued a Repairing Standard Enforcement Order requiring the landlord to carry out works to ensure that the Repairing Standard was met.

Following a re-inspection on 19 March 2009, the Committee determined that the Repairing Standard Enforcement Order had not been fully complied with. In particular the landlord had failed to ensure that the Property was wind and water tight.

Having heard from the tenant and from representatives on behalf of the landlord, the Committee agreed to vary the Repairing Standard Order. The Committee now requires the landlord to carry out such work as is necessary for the purposes of ensuring that the Property meets the repairing standard and that any damage caused by the carrying out of any work in terms of this Order is made good.

In particular the Committee requires the landlord:-

- (a) To remove and replace all windows in the Property (with the exception of the side facing window in the second bedroom) and to ensure that all the replaced windows are wind and watertight and that they meet the Repairing Standard.

The Committee orders that the works specified in this Order be carried out and completed within the period of 2 months from the date of service of this Notice.

**A landlord or a 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.**

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. 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.

In witness whereof these presents type written on this and the preceding page(s) are executed by Ronald Girvan Handley, solicitor, 23 Leslie Way Dunbar, East Lothian, chairperson of the Private Rented Housing Committee at Edinburgh on 6 April 2009 before this witness:-

**G Donaldson** \_\_\_\_\_ Witness

**R Handley** Chairman

GRAEME JOHN DONALDSON Name in full

CITY CHAMBERS Address

EDINBURGH

TRAINEE SOLICITOR Occupation

Date 6 April 2009