



**STATEMENT OF DECISION OF THE PRIVATE RENTED HOUSING  
COMMITTEE UNDER SECTION  
26(1) OF THE PRIVATE RENTED HOUSING PANEL ( APPLICATIONS  
AND DETERMINATIONS)( SCOTLAND) REGULATIONS 2007**

**In connection with  
Property at 607 Wellesley Road, Methil, Fife KY8 3PD  
(hereinafter referred to as "the house")**

**Mrs. Amanda Moug, formerly of 607 Wellesley Road, Methil and now care of  
Lynn Herbert & Co., Solicitors, 82 High Street, Leven, Fife KY8 4NB (whose  
agent is Lynn Herbert of Lynn Herbert & Co., as aforesaid) ("the Tenant")**

**Mr. Navid Siddique and Mrs. Farhat Siddique, both residing at 30 Queens  
Meadow, Coaltown of Balgonie, Fife KY7 6GZ  
( whose agent is Mr. Stevie Drummond, care of 84 Kier Hardie Street, Methil )  
("the Landlord")**

**PRHP REFERENCE- KY8/9/09**

**DECISION**

The Private Rented Housing Committee ("the Committee"), having considered a submission from the Landlord requesting a variation of the Repairing Standard Enforcement Order (hereinafter referred to as "the RSEO") to allow an extension of the timelimit for completion of the works detailed in the RSEO on the basis that the Landlord had identified additional works which require to be completed in order to comply with Section 14(1) of the Housing (Scotland) Act 2006 (hereinafter referred to as "the Act"), determined that the Landlord should be given an extension of the period allowed for the completion of the required works in terms of Section 25(1) of the said Act. The Landlord's initial request for a variation of the RSEO based on his financial ability to carry out the works, being refused.

**Background**

1. Reference is made to the Determination of the Committee dated 13 May 2009 which decided that the Landlord had failed to comply with the duty imposed by Section 14(1)(b) of the Act and the RSEO made by the Committee which required the Landlord to carry out works as specified therein. The said works to be carried out and completed within a period of 56 days from the date of service of the Notice of the RSEO. Service of the Notice of the RSEO was effected on the Landlord on 22 May 2009.

2. On 27 July 2009 a request was made to the Committee by the Landlord to extend the timescale for completion of the works detailed in the RSEO for a period of 3 months as he was not in a financial position to carry out the repairs. Before the Committee had made a decision on this request, an additional ground for the request for a variation was received on 28 July 2009 from the Landlord based on additional works which had been identified at the house following upon the removal of kitchen fittings and to a bath which was broken and leaking. The Tenant's solicitor had indicated previously that the Tenant does not wish to participate further in the application before the Committee and, as a consequence, her representations were not sought.

3. The Committee considered the request for a variation and were not persuaded to grant a variation based on the Landlord's financial ability to carry out the works but, mindful of Sections 25(1)(a) of the Act, considered that it would be reasonable to give the Landlord an extension of the period required to complete the works detailed in the RSEO in view of the additional works which he had identified as required to the house and issued a variation of the RSEO in terms of section 25(1)(a) of the Act. Given the nature of the additional works identified by the Landlord, the Committee determined that there should be a variation of the RSEO to allow completion of the works by 1 September 2009. The members of the Committee were unanimous in their decision on the variation of the RSEO.

# A Devanny

Chairperson,  
30 July 2009



**Notice of a decision to Vary**

**A Repairing Standard Enforcement Order**

**Ordered by the Private Rented Housing Committee**

**PRHP REFERENCE- KY8/9/09**

**Re : Property at 607 Wellesley Road, Methil KY8 3PD, being part of the subjects registered in the Land Register for Scotland under Title Number FFE 53596; ("the house")**

**The Parties**

**Mr. Navid Siddique and Mrs. Farhat Siddique, both residing at 30 Queens Meadow, Coaltown of Balgonie, Fife KY7 6GZ ("the Landlord")**

**Mrs. Amanda Moug, formerly of 607 Wellesley Road, Methil and now care of Lynn Herbert & Co., Solicitors, 82 High Street, Leven, Fife KY8 4NB ("the Tenant")**

**NOTICE TO Mr. Navid Siddique and Mrs. Farhat Siddique ("the Landlord")**

The Private Rented Housing Committee having determined on 30 July 2009 that the **Repairing Standard Enforcement Order** relative to the Property served on 22 May 2009 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 period allowed for the completion of the works required by the Order is extended until 1 September 2009.

Subsection 25(1) of the Housing (Scotland) Act 2006 applies 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 Mrs. Aileen Margaret Devanny, Solicitor, Motherwell, Chairperson of the Private Rented Housing Committee at Motherwell on Thirtieth day of July Two thousand and nine in the presence of the undernoted witness :-

**A Devanny**  
\_\_\_\_\_  
Witness

**A Devanny**  
\_\_\_\_\_  
Chairperson

ALEXANDER SUTHERLAND DEVANNY Name in full

95 STEWARTON STREET Address

WISHAW

Solicitor Occupation