



Statement of decision of the Private Rented Housing Committee under Section 25 (1) of the Housing (Scotland) Act 2006

prhp Ref: PRHP/DD3/76/13

Re: Property at 2/1, 60 Provost Road, Dundee, DD3 8AH ("the Property")

The Parties:-

JOSEPH WILLIAMSON residing at 2/1, 60 Provost Road, Dundee, DD3 8AH ("the Tenant")

HARJIT SIDHU residing at 6 Muirfield Place, Dundee, DD3 8PR ("the Landlord")

Decision

The Committee, having made such enquiries as it saw fit for the purposes of determining whether the Landlord has complied with the Repairing Standard Enforcement Order ("RSEO") in relation to the Property, determined that the Landlord should be given a further extension of 3 months from the date of this Decision to the period allowed for completion of the works required in terms of Section 25(1) of the Housing (Scotland) Act 2006 ("the Act").

Background

1. Following upon the original RSEO, a further reinspection of the Property was carried out by the original Surveyor Member of the Committee. No works had been done. Issues regarding alleged racist behaviour by the Tenant towards the Landlord had arisen. The Tenant had been charged in relation to this by the police. There was also a suggestion that the Tenant had been difficult in relation to providing access. At that point the Committee had some sympathy for the Landlord, were the allegations to be true, and accordingly granted a further period of 3 months to allow the works to be carried out. The Committee made it clear in its decision that it required the works to be dealt with and that both parties were to co-operate together in this regard.
2. The Committee noted that little progress appeared to be being made in relation to resolving the repairing issues at the Property. Accordingly, the Committee determined that a further inspection and Hearing would be held. This occurred on 30 July 2015. The Committee, comprising the original Chairman and Surveyor Member inspected the Property. The Tenant was present. Whilst one or two minor electrical works had been done, it was apparent that no other works had occurred. The Property was in generally the same condition as at the date of the original inspection.

A Hearing was held on the same day at Kirkton Community Centre. The Tenant attended with a relative, a Mr Alan Robertson. Despite the Committee having advised the Landlord that he was required to attend, the Landlord was not present nor represented. The Tenant submitted that he had not made any racist remarks. He also submitted that he had not been difficult regarding access. On a couple of occasions workmen of the Landlord had arrived without any notification and at an inconvenient time. He had refused access then but generally had no issue with providing access and was keen for the work to be carried out.

The Committee trusts that both parties will note that the Committee was thoroughly dissatisfied that the matter was continuing to drag on and require both of the parties to work together to bring the matter to a successful conclusion.

Decision

3. The decision of the Committee was to grant the Landlord a further period of 3 months from the date of this Decision to comply with the RSEO.
4. The decision of the Committee was unanimous.

Right of Appeal

5. **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

6. 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.

E Miller

Signed
Chairperson.

..... Date..... 12/8/15

Notice of a decision to Vary
A Repairing Standard Enforcement Order
Ordered by the Private Rented Housing Committee

prhp Ref: PRHP/DD3/76/13

Re: Property at 2/1, 60 Provost Road, Dundee, DD3 8AH ("the Property")

The Parties:-

HARJIT SIDHU residing at 6 Muirfield Place, Dundee, DD3 8PR ("the Landlord")

JOSEPH WILLIAMSON residing at 2/1, 60 Provost Road, Dundee, DD3 8AH ("the Tenant")

NOTICE TO HARJIT SIDHU ("the Landlord")

The Private Rented Housing Committee having determined on 12 August 2015 that the **Repairing Standard Enforcement Order** relative to the Property dated 17 February 2014 as amended and extended on 16 June 2014 should be further 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 (or further extended) for a further period of 3 months from the date of service of this Notice.

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 Ewan Kenneth Miller, Solicitor, Whitehall House, 33 Yeaman Shore, Dundee, DD1 4BJ, Chairperson of the Private Rented Housing Committee at Dundee on 12 August 2015 before this witness:-

L Johnston

E Miller

_____ witness

__ Chairman

Lindsay Johnston
Secretary
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