



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

Ref: PRHP/G82/137/12

Re property at: Ballymenoch Cottage, Brooks Road, Cardross, Dunbartonshire, G82 5HD, being the subjects registered in the Land Register of Scotland under Title Number DMB 5199 ("the Property")

The Parties:-

Ms Isabel Crawford, residing at Ballymenoch Cottage, Brooks Road, Cardross, Dunbartonshire, G82 5HD ("the Tenant")

And

Mr Archibald Scott Gray, Chartered Accountant, as judicial factor to the sequestrated estate of the late Ian McMurdo Thomson per his agent, Zolfo Cooper LLP, Cornerstone, 107 West Regent Street, Glasgow, G2 2BA ("the original Landlord")

Mrs Angela Reid, residing at Ballymenoch House, Cardross, G82 5HD. ("the current landlord")

Notice to Mrs Angela Reid, residing at Ballymenoch House, Cardross, G82 5HD.

The Private Rented Housing Committee issued a Repairing Standard Enforcement Order ("RSEO") dated 27th November 2012 in respect of the Property and varied said Order by Decisions dated 25th October 2013, 4th August 2015 and 21 December 2015.

The Private Rented Housing Committee, having further determined on 7 November 2016 that the **Repairing Standard Enforcement Order** as varied relative to the Property should be further varied.

The said **Repairing Standard Enforcement Order as varied** is hereby further varied with effect from the date of service of this Notice in the following respect:-

The period allowed for the completion of the work required by the order is extended until 31 January 2017

Section 25(3) 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.

Signed
James Bauld, Chairperson

7 November 2016

R King

Witness

7 NOVEMBER 2016

7 West George Street, Glasgow, G2 1BA



Determination by Private Rented Housing Committee

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

Ref: PRHP/G82/137/12

Re property at: Ballymenoch Cottage, Brooks Road, Cardross, Dunbartonshire, G82 5HD, being the subjects registered in the Land Register of Scotland under Title Number DMB 5199 ("the Property")

The Parties:-

**Ms Isabel Crawford, residing at Ballymenoch Cottage, Brooks Road, Cardross, Dunbartonshire, G82 5HD
("the tenant")**

and

**Mr Archibald Scott Gray, Chartered Accountant, as judicial factor to the sequestrated estate of the late Ian McMurdo Thomson per his agent, Zolfo Cooper LLP, Cornerstone, 107 West Regent Street, Glasgow, G2 2BA
("the original landlord")**

Mrs Angela Reid, residing at Ballymenoch House, Cardross, G82 5HD. ("the current landlord")

Background

1. On 27th November 2012, the Committee issued a Determination which decided that the original Landlord had failed to comply with the duties imposed by Section 14(1) of the Housing (Scotland) Act 2006 ("the 2006 Act") on the same date, the Committee issued a repairing standard enforcement order (RSEO) in respect of the property.
2. Subsequent to the issue of that original decision the Committee have issued variations of the repairing standard enforcement order, the most recent of which was issued in December 2015. That variation determined that the current landlord should be given until 30th April 2016 to arrange for the outstanding works to be completed.
3. On 11th May 2016 surveyor member of the Committee attended at the property to carry out a re-inspection. Access was not obtained but an external inspection was made. It appeared that the works required by the RSEO have not been fully completed.
4. The Committee wrote to the landlord and received a reply from her in July 2016. The Committee are satisfied that the property has not been re-let and that the current landlord has no intention of re-letting the property until the various works required by the RSEO are completed. The Committee accept the current landlord's position that she is attempting to complete the works.

5. The Committee accordingly decided that in terms of the powers under Section 25 of the 2006 Act that they should further vary the RSEO which has been previously made and previously varied.
6. The Committee decided that the RSEO should be varied to allow the current landlord a further period of time to arrange for the outstanding works to be completed. The Committee determined that the current landlord should be given until 31 January 2017 to arrange for the outstanding works to be completed.

Decision

1. The Committee having made such enquiries as it saw fit for the purposes of determining whether the current Landlord had complied with the RSEO as varied in relation to the property concerned and taking full account of all the evidence obtained at the re-inspection determined to exercise their powers in terms of Section 25 of the 2006 Act to further vary the RSEO.
2. The Committee proceeded to make a variation to the RSEO.
3. The decision of the Committee was unanimous.

Right of Appeal

4. 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

5. 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.

J Bauld

Signed
James Bauld, Chairperson

Date 7 November 2016

R King

.....Witness

7 NOVEMBER 2016

7 West George Street, Glasgow, G2 1BA