



Notice of a decision to Vary

A Repairing Standard Enforcement Order

Ordered by the Private Rented Housing Committee

Re: 1D Bruce Avenue, Inverness, IV3 5HA being part of the subjects described in and disposed by Feu Disposition by Inverness District Council in favour of David Rollo recorded GRS (Inverness) 25th January 1995 ('the Property')

The Parties:-

Ms Teresa Kobylska residing formerly at 1D Bruce Avenue, Inverness, IV3 5HA ('The Tenant')

David Rollo c/o, Martin & Co, 59-61 Academy Street, Inverness, 1V1 1LU ('The Landlord')

Case Ref No: PRHP/RP/15/0096

NOTICE TO

David Rollo c/o, Martin & Co, 59-61 Academy Street, Inverness, 1V1 1LU

The Private Rented Housing Committee having accepted the Landlord's application to have The **Repairing Standard Enforcement Order** varied to allow additional time for completion of the outstanding works. The Private Rented Housing Committee determined that The **Repairing Standard Enforcement Order** is **VARIED** with effect from the date of service of this Notice to the effect that the period allowed for the completion of the works is extended to 14th December 2015.

Subsection 25(3) of the Housing (Scotland) Act 2006 does 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 are executed by Jacqueline Taylor, Solicitor, chairperson of the Private Rented Housing Committee at Irvine on 8th October 2015 before the undernoted witness:

J Taylor

Signed..... Date 8th October 2015

Chairperson
K Byrne

.....witness: KEIRSTEN BYRNE, Paralegal,65, High Street, Irvine



Statement relative to the Notice of the decision to Vary

The Repairing Standard Enforcement Order

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Decision

The Committee, having made such enquiries as it saw fit for the purposes of determining whether the Repairing Standard Enforcement Order relative to the Property should be varied in terms of Section 25 of the Housing (Scotland) Act 2006 agreed that the RSEO should be varied.

- (1) The RSEO relative to the Property required the Landlord to :
 1. Repair the living room door by installing a latch to the door and strike plate to the frame to enable the door to close properly.
 2. Repair or replace the telephone entry apparatus to render it in proper working order.

The RSEO specified that these works must be carried out and completed by 14th July 2015.
- (2) The Committee members were Jacqui Taylor (Chairperson) and Sara Hesp (surveyor member).
- (3) On 4th September 2015 the surveyor member of the Committee attended at the Property for the purpose of ascertaining whether the said repairs required by the RSEO had been completed. She found that the repairs required had been not been completed.
Photographs were taken during the re-inspection and are attached as a Schedule to this report.
- (4) The Landlord's agents advised at the re-inspection and thereafter by email that they were experiencing difficulties timeously completing the works. They explained that the Property was being refurbished and it would shortly be placed on the market for sale once the works had been completed. They also advised that they were experiencing difficulties negotiating with the Council, who own most of the other flats in the building, for the repair of the buzzer system.

Decision

- (5) The Committee agreed to vary the RSEO to allow the Landlord additional time to complete the outstanding works.
- (6) The Committee proceeded to vary the Repairing Standard Enforcement Order in terms of section 25 by extending the time for the outstanding works to be completed to 14th December 2015.
- (7) The decision of the Committee was unanimous.

Right of Appeal

- (8) **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

- (9) 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 Taylor

Signed Date 8th October 2015
Chairperson