

Determination by The Private Rented Housing Committee

Statement of decision of the Private Rented Housing Committee under Section 24 (1) of the Housing (Scotland) Act 2006

Property at South Mains of Tillymorgan, Culsalmond, Inch being All and Whole Farm and Lands of South Mains of Tillymorgan, being the Lands particularly described in the in Disposition to Francis Middleton recorded in the general Register of Sasines on 20th December 1897 in the parish of Culsalmond. ("The Property")

The Parties:-

Mr F Buchanan, South Mains of Tillymorgan, Culsalmond, Inch ("the Tenant")

Mr Francis Massie and Mr Alexander Massie, trading as Alexander Massie & Sons, 6 Denwell Drive, Inch, Aberdeenshire ("the Landlords")

Background

1. On 28 October 2009 the Private Rented Housing Committee issued a decision requiring the Landlords to comply with a Repairing Standard Enforcement Order made by the Committee on 28 October 2009.
2. The Landlords submitted a request for a Variation of the Repairing Standard Enforcement Order which was consented to by the tenant and the Committee, issued a variation of the Repairing Standard Enforcement Order for the period of 2 months to complete the work.
3. On 23 June 2010 the surveyor member of the Committee inspected the property and found that most of the works required by the Repairing Standard Enforcement Order had been carried out. However the repairs to the leaks to the hot water system have not yet been carried out. Further time is also required in order to ensure that the water supply is now adequate and uninterrupted.
4. The Committee accordingly grant a further period of 1 month for the Order to be complied with to allow these two matters to be satisfactorily resolved.

Right of Appeal

1. **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

2. 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 Lea

Signed
Chairperson

..... Date

15 July 2010

**Notice of a Decision to Vary
A Repairing Standard Enforcement Order**

Ordered by the Private Rented Housing Committee

Re : Property at South Mains of Tillymorgan, Culsalmond, Inch being All and Whole Farm and Lands of South Mains of Tillymorgan, being the Lands particularly described in the in Disposition to Francis Middleton recorded in the general Register of Sasines on 20th December 1897 in the parish of Culsalmond. ("The Property")

The Parties: Mr F Buchanan, South Mains of Tillymorgan, Culsalmond, Inch ("the Tenant")
Mr Francis Massie and Mr Alexander Massie, trading as Alexander Massie & Sons, 6 Denwell Drive, Inch, Aberdeenshire ("the Landlords")

NOTICE TO: Mr Francis Massie and Mr Alexander Massie of Alexander Massie & Sons ("the Landlords")

The Private Rented Housing Committee having determined on 15 July 2010 that the **Repairing Standard Enforcement Order** relative to the Property served on 2 November 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:-

1. A further 1 month from the date of service of this Notice to Vary the Repairing Standard Enforcement Order be allowed for completion of the work.

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 page are executed by Judith V Lea, solicitor, Unit 3.5 The Granary Business Centre, Coal Road, Cupar, Fife, KY15 5YQ, chairperson of the Private Rented Housing Committee at Cupar on 15 July 2010 before this witness:-

M Smith

... .. Witness

J Lea

... Chairman

Maxine Smith
Unit 3.5 Granary Business Centre
Coal Road
Cupar, Fife
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