

Certified a true copy
A Devanny, Legal Member
Private Rented Housing Panel
Date: 12/11/2010

Notice of a decision to Vary

A Repairing Standard Enforcement Order

Ordered by the Private Rented Housing Committee

Re : Property at 16/1 Robert Burns Drive, Liberton, Edinburgh ("the Property")
Land Register Title Number: MID52335

The Parties:-

Christopher Krzywinski, Agata Korecka and Oliver Pearn ("the Tenants")

Mr Riccardo Roberts, c/o The Property Letting Centre, 64 Newington Road, Edinburgh ("the Landlord")

NOTICE TO Mr Riccardo Roberts, c/o The Property Letting Centre, 64 Newington Road, Edinburgh ("the Landlord")

The Private Rented Housing Committee having determined on 1st November 2010 that the **Repairing Standard Enforcement Order** relative to the Property served on 13 May 2010 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 respects:-

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

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 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 8 November 2010 before this witness:-

M Smith

..... Witness

J Lea

..... Chairman

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

Determination by The Private Rented Housing Committee

In relation to Decision to Vary Repairing Standard Enforcement Order

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

Land Register Title Number: MID52335
Property at 16/1, Robert Burns Drive, Liberton, Edinburgh ("the Property")

The Parties:-

Christopher Krzywinski, Agata Korecka and Oliver Pearn ("the Tenants")

Mr Riccardo Roberts, c/o The Property Letting Centre, 64 Newington Road, Edinburgh
("the Landlord")

Background

1. On 13 May 2010 the Private Rented Housing Committee issued a Decision requiring the Landlord to comply with the Repairing Standard Enforcement Order made by the Committee on 12 May 2010.
2. The Landlord then advised that the property would no longer be used for Tenants and that he would be cancelling the Landlord Registration with the Council. The Tenants moved out on 16 May 2010. The Landlord indicated that he was unable to pay for the surveys and additional work requested by the Private Rented Housing Committee.
3. The Committee then issued a letter asking the Landlord to provide formal written confirmation that the property would not be re-let while repairs were outstanding. This written confirmation was not provided by the Landlord.
4. The Landlord then advised that the property has been repossessed.
5. In the circumstances the Committee consider it reasonable to allow a further period of six months for the Order to be complied with.

Right of Appeal

6. **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

7. 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:

Date: 8 November 2010