

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

**PRHP Reference: PRHP/G44/102/10**

Re: Property at 146 Curtis Avenue, Glasgow, G44 4NP ("the Property"),

Land Register Title Number GLA156135

**The Parties**

Ms Elaine Hayden, residing at 146 Curtis Avenue, Glasgow, G44 4NP ("the Tenant").

And

Mull Properties Limited per agents, Cairn Estate and Letting Agency, 34 Gibson Street Glasgow, G12 8NX ("the Landlords").

**Notice to Mull Properties Limited per agents, Cairn Estate and Letting Agency,  
34 Gibson Street Glasgow, G12 8NX ("the Landlord)**

The Private Rented Housing Committee having determined on 7 July 2011 that the work required by the **Repairing Standard Enforcement Order** relative to the Property served on 22 October 2010 is no longer necessary, the said **Repairing Standard Enforcement Order** is hereby revoked with effect from the date of service of this Notice.

A landlord or 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.

In witness whereof these presents typewritten on this and the preceding page(s) are executed by James Bauld, Solicitor, 7 West George Street, Glasgow G2 1BA, Chairperson of the Private Rented Housing Committee at Glasgow on 7 July 2011 before this witness:

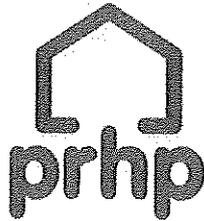
Signed ..... **J Bauld** ..... Date ..... *7 July 2011* .....  
Chairperson

Signature of Witness ..... **G Williams** ..... Date ..... *7/7/11* .....

Name: *GILLIAN WILLIAMS*

Address: 7 West George Street, Glasgow, G2 1BA

Designation: *SENIOR COURT ADMINISTRATOR* .



**DETERMINATION BY PRIVATE RENTED HOUSING COMMITTEE**

**STATEMENT OF DECISION OF PRIVATE RENTED HOUSING COMMITTEE**

(Hereinafter referred to as "the Committee")

Under Section 25 (1) of the Housing (Scotland) Act 2006

Case Ref Number: PRHP/G44/102/10

Re Property at 146 Curtis Avenue, Glasgow, G44 4NP (**"the Property"**),

Land Register Title Number GLA156135

**The Parties**

Ms Elaine Hayden, residing at 146 Curtis Avenue, Glasgow, G44 4NP (**"the Tenant"**).

And

Mull Properties Limited per agents, Cairn Estate and Letting Agency, 34 Gibson Street Glasgow, G12 8NX (**"the Landlords"**).

**The Committee comprised:-**

Mr James Bauld	- Chairperson
Mr Alan English	- Surveyor member
Mr James Riach	- Housing member

### **Background:-**

1. On 22 October 2010 the Committee issued a Determination which decided that the landlords had failed to comply with the duties imposed by Section 14(1)(b) of the Housing (Scotland) Act 2006 ("the Act"). On that date the Committee issued a Repairing Standard Enforcement Order ("RSEO") in respect of the property. The RSEO was varied by a subsequent determination of the Committee dated 27 January 2011
2. Subsequent to the issue of that Order and the variation, the property was re-inspected on 10 March 2011. The re-inspection was carried out by Mr Alan English, the surveyor member of the Committee.
3. A report of that inspection was produced and was circulated to both parties. The parties were invited to make comments. Responses were received from both the landlord and the tenant.
4. Subsequent to that report being issued, correspondence was received from both the landlords and the tenant confirming that they agreed with the terms of the re-inspection report. However the tenant indicated that she did not wish to take any further action in respect of the repairs required to make the exterior door wind and water tight or to carry out repairs to the stairs. The tenant indicated that she did not wish to continue the dispute.

### **Decision**

5. The Committee, having made such enquiries as it sees fit for the purpose of determining whether the landlords have complied with the RSEO in relation to the property concerned and taking full account of all the evidence provided by both the tenant and the landlords now determine that the RSEO should be revoked. The Committee noted that the tenant is satisfied that the major works to the property including the installation of new double glazed windows and to eradicate rot and prevent water ingress had been carried out. The Committee accordingly determined to treat the application as withdrawn and to revoke the RSEO.
6. The Decision of the Committee was unanimous.

### **Rights of Appeal**

7. A landlord or tenant aggrieved by the decision of the Committee may appeal to the Sheriff by summary application within 21 days of being notified of that decision.
8. The appropriate respondent in such appeal proceedings is the other Party to the proceedings and not the PRHP of the Committee which made the decision.

### **Effects of Section 63**

9. Where such an appeal is made, the effect of the decision and of any Order made in consequence of it is suspended until the appeal is abandoned or finally determined.

10. Where the appeal is abandoned or finally determined by confirming the decision, the decision and the Order made in consequence of it are to be treated as having effect from the day on which the appeal is abandoned or so determined.

Signed **J Bauld**  
James Bauld, Chairperson

Date *7 July 2011*

Signature of Witness **G Williams**

Date *7/7/11*

Name: *GILLIAN WILLIAMS*

Address: 7 West George Street, Glasgow, G2 1BA

Designation: *SENIOR COURT ADMINISTRATOR*