

# Statement of Reasons

in connection with

Inspection and Hearing

Held on : 13<sup>th</sup> November 2008

Property : 99 Clarence Gardens , Glasgow

## 1. The Parties

The Landlord is Kenneth Nicolson, 88 Stamperland Gardens Clarkston, Glasgow.

The Tenant is Gilbert Alomenu, 99 Clarence Gardens, Glasgow.

## 2. Background

The parties entered into a tenancy agreement in relation to the property at 99 Clarence Gardens Glasgow. The tenant made an application to the Private Rented Housing Panel (PRHP) under section 22(1) of the Housing (Scotland) Act 2006. He advised he considered that work required to be carried out in the property with regard to the following items:-

- The washing machine
- A leak under the sink
- T.V. reception
- The safety of the electric circuitry

Having regard to faults surrounding these matters the tenant is of the view that the landlord is in breach of the repairing standard as defined in Section 13 of the Housing (Scotland) Act 2006.

### 3. The Inspection

The Committee attended at the property on the morning of 13<sup>th</sup> November. Both landlord and tenant had been invited to attend the Inspection however the landlord was not present. The tenant was in attendance and directed the Committee to the problem areas. The Committee inspected each of the issues raised by the tenant and made the following observations.

The washing machine : No malfunction of the equipment is reported although the tenant does not consider the machine washes his clothes to a satisfactory standard of cleanliness. In support of this contention he exhibited a shirt which he had washed in the machine on the 40 degree wash programme. He directed our attention to the collars and cuffs.

The machine is 4 years old and of reputable manufacture (Hoover).

The leak under the sink: The tenant reports this has been repaired by his landlord.

T.V. Reception: The tenant confirms this is now satisfactory in so far as he can receive the required channels.

Electrical safety: The tenant confirms the landlord sent an electrician and the electrics are now in working order.

### 4. The Hearing

A Hearing was held in the PRHP offices in Glasgow following the Inspection. The tenant was present. The landlord did not attend although he had been invited to do so.

At the Hearing the tenant confirmed the leak had been fixed , the T.V. reception was satisfactory and the electrics were not causing problems.

As regards the washing machine , he felt the machine did not wash his clothes as clean as a machine he had used in a previous property. At the inspection the Committee had been shown one of the tenant's shirts which he said remained stained at the collar and cuffs despite having been through a 40 degree wash cycle.

#### 5. Written Evidence

The committee considered the whole written evidence contained with the Application.

#### 6. The Decision

The Committee considered the whole written evidence their observations at the Inspection and the oral submissions of the tenant at the Hearing.

We are satisfied the whole sundry statutory procedures have been carried out within the prescribed statutory timescale.

Committee considered each of the tenant's notified items in turn and whether they breached the repairing standard specified in Section 13 of the aforesaid Act and determined as follows:-

The washing machine is of reputable make and it functions mechanically. We found the item of laundry exhibited to us to be an unremarkable example of a machine washed dress shirt. We are satisfied this appliance is in a reasonable state of repair and in proper working order.

The leak under the sink, the T.V reception and the problems with the electric circuitry have all been resolved by the landlord. The tenant confirmed this at the Inspection and during his oral submission at the Hearing.

Accordingly, the Committee determines there is no breach of the repairing standard .

Right of Appeal

A landlord or tenant aggrieved by the decision of the PRHP may appeal to the Sheriff by Summary Application within 21 days of being notified of the decision.

**A McCamley**

Chairman P.R.H.P.

27th November 2008