



**NOTICE TO LOCAL AUTHORITY**  
**ISSUED BY**  
**THE PRIVATE RENTED HOUSING COMMITTEE**  
**UNDER SECTION 26(2) OF THE HOUSING (SCOTLAND) ACT 2006**

prhp Ref: prhp/PH33/149/11

**RE: PROPERTY**

21 Torlundy Road, Caol, Fort William PH33 7EB registered in the Land Register for Scotland under Title Number INV19327

**THE PARTIES:**

**Gillian Hunter**, residing formerly at 53 Drumfada Terrace, Fort William, PH33 7LA and now at 10 Cardhu Gardens, Kilmarnock, KA3 1QY ("the Landlord")

and

**Stephen Peart**, residing formerly at the property ("the Tenant")

Notice is hereby given to Highland Council, being the local authority in which the property is situated, that there has been a failure by the Landlord to comply with a Repairing Standard Enforcement Order in relation to the house in terms of Section 26(1) of the Housing (Scotland) Act 2006. The Statement of Decision of the Private Rented Housing Committee under Section 26(1) of the said Act is attached hereto and referred to for its terms.

If an appeal against the decision of the Private Rented Housing Committee is made, then the effect of the decision is suspended until the appeal is abandoned or finally determined. In the event that the decision is confirmed, then the decision will be effective 28 days from the date on which the appeal is abandoned or so determined. If an appeal is received then the Private Rented Housing Panel will notify you of this and the eventual outcome of the appeal.

The date of service upon the parties of the decision under Section 26 of the Act is hereby certified to be 27 March 2012

IN WITNESS WHEREOF these presents are executed as follows:

**D Preston**  
 .....Chairman

**S Preston**  
 .....Witness

7/10/12 ..... Date of Signing

SHEILA PRESTON ..... Name

WESTDALE ..... Address

DANCRAGAN HOA. 2

OBAN

OBAN ..... Place of Signing



**STATEMENT OF DECISION UNDER SECTION 26 OF THE HOUSING  
(SCOTLAND) ACT 2006**

**BY THE**

**PRIVATE RENTED HOUSING COMMITTEE**

PRHP Ref: **prhp/PH33/149/11**

**PROPERTY**

21 Torlundy Road, Caol, Fort William PH33 7EB registered in the Land Register for Scotland under Title Number INV19327

**PARTIES**

**Gillian Hunter**, residing formerly at 53 Drumfada Terrace, Fort William, PH33 7LA and now at 10 Cardhu Gardens, Kilmarnock, KA3 1QY (**"the Landlord"**)

and

**Stephen Peart**, residing formerly at the property (**"the Tenant"**)

**Decision and Reasons**

1. **The Committee determines that the Landlord has failed to comply with the terms of the Repairing Standard Enforcement Order dated 25 March 2012.**

**REASONS**

2. On 25 March 2012, after an inspection of the property and a hearing, the Private Rented Housing Committee (PRHC) issued a Repairing Standard Enforcement Order (RSEO).
3. The RSEO required the following repairs to be carried out within a period of three months from the date of service of the RSEO on the Landlord. The RSEO was served on 27 March 2012:-
  - a. To carry out the necessary repairs to the roughcast render on the property.

- b. To carry out necessary investigations of the apparent damp in the kitchen, bathroom and back bedroom and to carry out such work as is identified as necessary to eliminate the damp and condensation.
4. On 24 May 2012, the Surveyor Member of the Committee carried out a re-inspection of the property and thereafter prepared a report dated 2 July 2012, which was sent to the Landlord for comments. No comments were received.
5. The Re-inspection report stated that no works as required by the RSEO appeared to have been carried out. The property appeared to be in the same condition as it had been at the time of the original inspection.
6. At the time of the re-inspection the Surveyor Member was approached by a neighbour who reported that the back door of the property was wide open. It appeared that the property had been unsecured. This fact was drawn to the attention of the landlord when the copy re-inspection report was issued to her, but no response has been received. As advised to the Landlord at that time, the Police have been advised by the Private Rented Housing Panel that the property is unsecure.
7. In view of the fact that the property remains in the same condition as at the time of the original inspection, and that the terms of the RSEO have not been implemented, the Committee determined to issue a Notice of Failure.

D Preston

.....Chairman

7/10/12.....Date