



NOTICE OF A DECISION TO REVOKE

A Repairing Standard Enforcement Order

Ordered by the Private Rented Housing Committee

Re : Property Flat 0/2, 99 Queensborough Gardens, Glasgow, G12 9RY being the subjects registered in the Land Register of Scotland under title Number GLA9626 ('the Property')

The Parties:-

Miss Katie Mitchell ('the Tenant')

Kenneth MacTaggart, the Business and Property Bureau Limited, 47 Milngavie Road, Bearsden, G61 2DW ('the Landlord')

NOTICE TO KENNETH MACTAGGART

The Private Rented Housing Committee having determined that the Repairing Standard Enforcement order relative to the Property dated 4th July 2011 should be Revoked, the said Repairing Standard Enforcement order is hereby Revoked with effect from the date hereof.

A landlord or a 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.

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.

Signed..... **J Taylor** Date 22nd August 2011
Chairperson
E Shedden
Elizabeth Shedden
65 High Street
Irvine

..... witness:



**Statement of Decision of the
Private Rented Housing Committee
Relative to the Certificate of Revocation of the Repairing
Standard Enforcement Order dated 4th July 2011 (RSEO)
issued under section 25(1)(b) of the Housing (Scotland) Act 2006**

Re : Property Flat 0/2, 99 Queensborough Gardens, Glasgow, G12 9RY being the subjects registered in the Land Register of Scotland under title Number GLA9626 ('the Property')

The Parties:-

Miss Katie Mitchell ('the Tenant')

Kenneth MacTaggart, the Business and Property Bureau Limited, 47 Milngavie Road, Bearsden, G61 2DW ('the Landlord')

Background

1. The Committee issued a Determination dated 4th July 2011 advising:-
 - a. That the Committee had agreed that the Landlord had failed to comply with the duty imposed by section 14(1)(b) of the Housing (Scotland) Act 2006 and accordingly they made a RSEO which required the Landlord to produce a valid current gas safety certificate before 15th August 2011 and
 - b. That the Committee had adjourned the other matters in the Tenant's application namely that the Property was not wind and watertight and in all respects reasonably fit for human habitation and also that the Property does not have a satisfactory provision for detecting fires and giving warning in the event of fire or suspected fire ('The Adjourned Matters') until the inspection and hearing scheduled for 15th August 2011.
2. Thereafter the Landlord sent the PRHP an email dated 5th August 2011 enclosing a valid gas safety certificate and an invoice for installation of the mains wired smoke alarm.
3. In view of the documentation produced the Committee agreed that the RSEO should be revoked in terms of section 25(1)(b) of the Housing (Scotland) (Act) 2006.
4. In relation to the Adjourned Matters considering that:-
 - a. The Tenant had vacated the Property on 2nd March 2011,
 - b. The Landlord had provided evidence demonstrating that a hardwired smoke alarm had been installed at the Property and
 - c. The Landlord's letting agent had confirmed to the surveyor member of the Committee that the Property had been repaired in anticipation of the Property being re-let

The Committee determined that the Tenancy had been lawfully terminated and they agreed to abandon their consideration of the Adjourned Matters in terms of Schedule 2, section 7(3) (a), Housing (Scotland) Act 2006.

5. The decision of the Committee was unanimous.

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.

Signed **J Taylor**
Chairperson

Date: 22nd August 2011