



Notice of a decision to Vary

A Repairing Standard Enforcement Order

Ordered by the Private Rented Housing Committee

Re: RE: Property at 39 Wallbrae Road, South Carbrain, Cumbernauld G67 2PD being the subjects more particularly described in Land Certificate Title Number DMB51813 (hereinafter referred to as "the house")

The Parties

Miss. Tracey McGillivray, formerly residing at the house ("the Tenant")

Mr. Ajay Ahuja, at one time residing at 99 Moreton Road, Ongar, Essex, sole owner of the house and Co-Director with Mrs. Hana Mayerova of Ahuja Holdings being a trading name for AMPG Limited which company manage the tenancy for the owner and whose registered office is Unit 1, South Fens Business Centre, Fenton Way, Chatteris, Cambridgeshire PE16 6TT ("the Landlord")

Reference PRHP/RP/14/0168

NOTICE TO Mr Ajay Ahuja ("the landlord")

The Private Rented Housing Committee having determined on 25 November 2015 that the Repairing Standard Enforcement Order relative to the property dated 8 December 2014 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 respect:-

1. The requirements (c), (h), (i), (k), (l), (m), and (n) in the RSEO are deleted; the other requirements in the RSEO remain outstanding.
2. The required works in the RSEO to include the securing of the exposed plastic central heating pipes along their full length and to ensure that the pipes are clipped at regular intervals;
3. The RSEO to include a requirement on the Landlord to either provide written verification that the boiler appliance/ flue as fitted in the house does not require a shield as described in the Gas Safe Register inspector's report dated 22 September 2015 or fully comply with the requirements as detailed at clause 2. on page 2 of the report; the other issues relating to the identified defects in the said report to be rectified as described to ensure compliance with the repairing standard so that the installation in the house is in a reasonable state of repair and in proper working order, all to the satisfaction of the Committee; the type and location of the carbon

monoxide detector in the house must comply with the Scottish Government Statutory Guidance issued in relation to the Provision of Carbon Monoxide Alarms in Private Rented Housing.

4. The required works in the RSEO to include the completion of the installation of the replacement shower to ensure that it is in a reasonable state of repair and in proper working order; and
5. The period allowed for the completion of the remaining works required by the Order is extended until 15 January 2015;

The landlord is reminded that it is a requirement of the RSEO that he must make good damage caused by the carrying out of any work for the purpose of complying with the repairing standard duty. This includes such matters as filling in holes and making good affected areas, and redecoration of these affected areas.

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 typewritten on this and the preceding page are executed by Mrs. Aileen Margaret Devanny, Chairperson of the Private Rented Housing Committee at Glasgow on Thirtieth day of November 2015 in the presence of the undernoted witness :-

J McAnulty

Witness

A Devanny

JULIE McANULTY Name in full

EUROPA HOUSE 45 ARGYLE Address
STREET GLASGOW

CASEWORKER Occupation



**STATEMENT OF DECISION OF THE PRIVATE RENTED HOUSING COMMITTEE
UNDER SECTION
26(1) OF THE HOUSING (SCOTLAND) ACT 2006**

In connection with

**Property at 39 Wallbrae Road, South Carbrain, Cumbernauld G67 2PD
(hereinafter referred to as "the house")**

Miss. Tracey McGillivray, formerly residing at the house ("the Tenant")

Mr. Ajay Ahuja, at one time residing at 99 Moreton Road, Ongar, Essex, sole owner of the house and Co-Director with Mrs. Hana Mayerova of Ahuja Holdings being a trading name for AMPG Limited which company manage the tenancy for the owner and whose registered office is Unit 1 , South Fens Business Centre, Fenton Way, Chatteris, Cambridgeshire PE16 6TT ("the Landlord")

Reference PRHP/RP/14/0168

DECISION

The Private Rented Housing Committee ("the Committee"), having made such enquiries as is fit for the purposes of determining whether the Landlord has complied with the Repairing Standard Enforcement Order (hereinafter referred to as "the RSEO") in relation to the house concerned, and taking account of the findings from the inspections of the house on 6 August 2015 and 18 September 2015, and further considering the terms of additional reports obtained following the issue of a Direction dated 24 August 2015 and subsequent written representations and reports from the Landlord, determined that the RSEO should be varied to extend the period for completion of the works detailed within the RSEO in terms of Section 25(1)(a) and Section 25(3) of the Housing (Scotland) Act 2006 (hereinafter referred to as "the Act").

1. Background

Reference is made to the Determination of the Committee dated 24 November 2014 which decided that the Landlord had failed to comply with the duty imposed by Section 14(1) (b) of the Act and to the Repairing Standard Enforcement Order (RSEO) dated 8 December 2014 which required the Landlord to carry out works as specified therein. The said works detailed in the RSEO to be carried out and completed within a period of 8 weeks. Due to appeal from the said Determination which was finally determined on 26 February 2015, the works detailed in the RSEO required to be completed by 23 April 2015.

2. Requirements of the RSEO dated 8 December 2014

The terms of the RSEO required the Landlord to carry out such work as is necessary for the purposes of ensuring that the house concerned meets the repairing standard and that any damage caused by the carrying out of any work in terms of the RSEO is made good. In particular the Landlord was required -

- a) *To allow a report on the gas installation, boiler, pipe work and radiators to be completed by an inspector from the Gas Safe Register and thereafter to complete the installation of the gas central heating system and to ensure that the system meets the repairing standard and to provide certification to confirm this from a Gas Safe Registered Engineer acceptable to the Committee.*
- b) *To repair the source of water leak in the bathroom; to repair the damage to the flooring under the bath, and the adjoining skirting and to replace the ceiling and make good the plasterwork in the first floor room left; to ensure that the bath is securely fixed to the floor; and all existing sealant at the bath removed and replaced, all the foregoing to a reasonable state of repair.*
- c) *To secure the bathroom wash hand basin and the taps and to ensure that the splash back area is water resistant to a reasonable state of repair.*
- d) *To secure the upstairs toilet so that it does not move, repair the laminate in the bathroom to ensure no gaps and it is readily able to be cleaned and to box in the exposed pipes to a reasonable state of repair.*
- e) *To remove the asbestos water tank using the services of a competent contractor who is licensed under the Waste Management Regulations and who will dispose of the tank. Thereafter to remedy the damage caused by water leaking from the tank and this includes the damage to all affected ceilings and walls in the first floor bedroom left, the first floor landing and adjoining cupboards and any associated damage to the ground floor walls and ceilings, all to a reasonable state of repair.*
- f) *To replace or repair the broken window in the second floor bedroom right to ensure a reasonable state of repair; and to replace all damaged and missing window handles to ensure all windows are capable of closing properly and are in a reasonable state of repair.*
- g) *To repair the window in the first floor bedroom left to ensure that the window is secure and can be opened and closed properly and is in a reasonable state of repair and in proper working order.*
- h) *To instruct a periodic electrical inspection report from a qualified electrician nominated by Select or NICEIC and acceptable to the Committee and to carry out any works identified as necessary in that report to a satisfactory standard.*
- i) *To replace the cloakroom toilet, fit a new toilet seat and box in all exposed pipes after remedying any leak, all to a reasonable standard of repair.*
- j) *To repair or replace the lock in the back door to ensure that it is in a reasonable state of repair and in proper working order and to remove the redundant mortice lock and make good any damage caused.*
- k) *To install internal doors throughout the house which are to a reasonable standard of repair.*
- l) *To re-attach the missing kitchen cupboard door to ensure that it is in proper working order and meets a reasonable state of repair*
- m) *To repair the bath panel to ensure that it is in a reasonable state of repair.*
- n) *To remove the old toilet from the house and make arrangements for its appropriate disposal.*

3. Required certification and works in terms of requirements (a) and (h) of the said RSEO

In terms of requirements (a) and (h) of the RSEO, reports and certification were to be submitted to the Committee. To allow acceptable certification in requirement (h), the Landlord was provided with a list of electrical firms who had businesses based in the location of the house and who were acceptable to the Committee. It was left to the Landlord to choose an electrical firm from the list to prepare the report to satisfy requirement (h). One of the electrical firms on the list was Stirling Electrical Services Limited.

In advance of the re-inspection of the house by the Committee to check compliance, the Landlord, in terms of requirement (a) of the RSEO, submitted a gas safe certificate prepared by Mr. Mark Perryman and advised that no inspection report had been completed by an inspector from the Gas Safe Register to check the gas installation. He indicated that Mr. Perryman is a Gas Safe registered engineer and Gas Safe have no concerns about him. The Committee communicated on 8 July 2015 to the Landlord that a report from Mr. Perryman was not acceptable to them and the terms of that communication is referred to for their reasons. The Landlord provided a list of names of Gas Safe contractors in the Cumbernauld area and asked for an indication from the Committee of the contractors who would be acceptable. The Committee indicated all contractors apart from the two identified as not undertaking domestic work would be acceptable to issue the report. However, due to an administrative oversight on the part of the panel's administration that information was not passed to the Landlord until 30 July 2015. As a consequence the Gas Safe report was not available at the re-inspection by the Committee on 6 August 2015.

In advance of the re-inspection, the Landlord submitted an electrical inspection report dated 6 May 2015 from Stirling Electrical Services Limited which highlighted a number of concerns about the installation and electrical fittings some of which were considered to be dangerous and some potentially dangerous. The Committee had expected this same contractor, namely Stirling Electrical Services, to carry out the required works identified by them in that electrical report dated 6 May 2015. However, to support completion of electrical works in the RSEO the Landlord submitted a further electrical report dated 21 May 2015 not by Stirling Electrical Services Limited but by another electrical contractor Gordon Brothers Electrical. The payment receipt submitted by Gordon Brothers Electrical to the Landlord referred to rectification of observations stated on a recent electrical installation condition report, re-testing and certification to a satisfactory level had been undertaken. However, the electrical installation inspection report from Gordon Brothers Electrical Services did not provide the level of detail of the earlier report dated 6 May 2015 provided by Stirling Electrical Services.

At the re-inspection of the property on 6 August 2015 by the Committee, it was noted that the electricity, gas and water supplies had been disconnected. An inspection of the house revealed that a light fitting was not properly fitted to the ground floor hall ceiling, and the shower was not completely assembled, with parts still in a box on the bathroom floor and the shower did not appear connected to the electricity supply with a cord/switch for operation (PHOTOGRAPHS H1-H5). This was the shower which Gordon Brothers Electrical Services indicated had been checked and was satisfactory. There was evidence of completion of some electrical works at the house since the original inspection which

took place on 23 October 2014 but the Committee decided to instruct their own updated report from Stirling Electrical Services Limited to confirm that the works identified as required in their report, and particularly the items identified as dangerous or potentially dangerous, had been completed to a satisfactory standard. Gordon Brothers Electrical is not a firm who appear on the list of Select or NICEIC electrical contractors although it appears from papers provided by the Landlord that the individual electrician who completed the report for Gordon Brothers Electrical had a SJIB grade card. The Landlord had been required within the RSEO to provide a periodic electrical inspection report from a qualified electrician nominated by Select or NICEIC and acceptable to the Committee and to carry out works identified as necessary in that report to a satisfactory standard.

At the re-inspection on 6 August 2015 the Committee observed that the pipe work which related to the newly installed gas central heating system appeared to be of an unusual configuration; furthermore, there was a lack of proper fixing and concealment of plastic pipes and excessive movement in internal pipes, especially in the hall and electric cupboard; and the external gas pipe is located in front of a glazed kitchen window and the effect of this is that the window has restricted opening. Photographs of these items were taken by the Committee at the re-inspection of the house on 6 August 2015 and are attached (PHOTOGRAPHS A1-A12). Whilst the report dated 17 August 2015 and provided to the Committee on 19 August 2015 from Altech Heating, a Gas Safe registered firm, appeared to indicate that the boiler is safe, the engineer's views on the condition of the pipe work are not clear as the engineer has ticked both the box stating the visual inspection of the pipe work "is" and "is not" satisfactory. The Committee decided in all the circumstances to seek reassurance from the Gas Safe Register inspectors that the installation and pipe work are satisfactory and safe. It was also observed by the Committee and raised with the Landlord's agent that there was no carbon monoxide detector fitted which as the Committee pointed out was a requirement of Scottish building regulations when a new or replacement boiler or other fixed heating appliance is installed in a dwelling after 1 October 2013. The boiler in the house has only recently been installed. The Landlord's representative, Mr. Richard Matthews, took instructions from the Landlord and indicated at the hearing subsequent to the inspection on 6 August 2015 that he would install such a detector.

On 24 August 2015, the Committee in order to assist determination of whether the RSEO had been complied with in respect to some of the requirements in the RSEO, issued a Direction to the Landlord to facilitate the preparation of the two reports referred to aforesaid (the reports by Stirling Electrical Services and by the Gas Safe Register inspectors) and to (1) complete the installation and connection of the new shower and pull cord in the bathroom (2) provide access to the house at pre-arranged times and dates for contractors preparing the aforesaid reports and (3) ensure the installations for gas, water and electricity are connected and operational at the time of providing access and during the inspections of the house for the purpose of preparing these reports. The dates and times of the inspections were to be notified to the Landlord at least 7 days in advance by the PRHP administration. The two reports referred to were to be instructed by the PRHP administration at the panel's expense with copies of the reports to be provided to the Landlord when they became available.

A further inspection of the house took place on 18 September 2015 in the presence of a Gas Safe Register inspector, the Landlord's representative, Mr. Richard Matthews, the Committee members, representatives from Altech Heating, and an electrician from Stirling Electrical Services Ltd. The Committee members attended but confined their inspection to the issue of the shower referred to in the Direction. The Landlord's representative was

asked to switch on the shower but the shower was found not to be operational. The cause for this appeared to be that the water supply was not connected to the shower. The Direction to the Landlord which was dated 24 August 2015 required the shower installation and connections to be completed. The Landlord's representative appeared unaware of the Direction requirements.

Reports following the inspection on 18 September 2015 were subsequently obtained from the Gas Safe Register inspector and from Stirling Electrical Services Ltd. These reports dated 22 September 2015 and 18 September 2015 are attached hereto and referred to for their terms. The Gas Safe Register inspector indicated that the installation either did not meet current standards or was not compliant with building regulations but was safe. The report from Stirling Electrical Services Ltd found an overall assessment of the installation to be unsatisfactory with 11 observations, 4 observations being potentially dangerous and 2 where further investigation is required.

On 14 October 2015 the Landlord provided a further electrical inspection report from Stirling Electrical Services Ltd which confirmed that the installation was now considered by them to be satisfactory. The Committee is now satisfied that the works at (h) in the RSEO have been completed.

On 23 October 2015 the Landlord submitted certification that the defects identified by the Gas Safe Register inspector had been rectified. The certification was carried out by Mr. Mark Perryman who installed the boiler and central heating system. The Committee has reservations about accepting any certification from Mr. Perryman given the history of this case and as previously indicated in the Committee Decision dated 24 November 2014 and correspondence dated 8 July 2015. The paperwork supplied by Mr. Perryman seems to indicate that he has verbal verification of the acceptability of the proximity of the flue to wood paneling without a shield from "main". The identity of "main" is unclear and that person's expertise to provide such an expert opinion is also not clarified. This was a defect raised by the Gas Safe Register inspector which was to be rectified. At the date of issue of this decision no written verification confirming the acceptability of this configuration has been received from the Landlord. The Committee is still unclear if all the defects identified by the Gas Safe Register inspector have been rectified. Given the Committee's observations in an earlier decision on the workmanship of Mr. Perryman, further checks will be made by the Committee to check that the works have been completed to a reasonable standard and to ensure that the installation is in proper working order. The Committee considers that a further inspection will be required to check the details provided by Mr. Perryman and the written verification he refers to will be sought. This is required before the Committee consider compliance with this aspect of item (a) of the RSEO.

At the time of the issuing of the RSEO the Committee observed that the gas central heating system was in the course of installation and was the subject of complaint expressed by the Tenant. Item (a) of the RSEO covered this boiler and central heating system and included the reference to the pipe work in the system being required to meet the repairing standard. In addition, the Committee in the RSEO had asked for a report on the pipe work. It transpires from evidence of the Gas Safe Register inspector that Gas Safe reports only address the gas pipe work and not the plastic pipe work connected to the central heating system. The Committee made comments about this plastic pipe work in the original Decision whilst the installation was ongoing. However, the Committee observed at the re-inspection on 6 August 2015 that the plastic pipe work for the hot water supply (which are now fittings connected to the recently installed central heating system) is exposed (not boxed-in) and to meet the repairing standard should be attached by clips or

other appropriate fixtures to the structure of the house to avoid creating a possible hazard of them being dislodged if sufficient force is used; the said plastic pipes do not run under the floorboards but in some instances run across cupboard floors impeding the use of some of the cupboards. Whilst, the Committee considers on balance that the configuration of the pipes impeding the use of cupboards, although detrimental to the enjoyment of the accommodation, does not amount to a failure in the repairing standard; nonetheless, the lack of fittings to secure the exposed plastic pipe work to the structure of the house is a failure to comply with the repairing standard and a non-compliance with requirement (a) of the RSEO. (PHOTOGRAPHS A2-A10).

4. Findings from the Committee re-inspection which took place on 6 August 2015 in respect of the issues in the RSEO excluding requirements (a) and (h) referred to above.

The electrical and gas issues apart at paragraph 3, the Committee considered in general that the standard or workmanship to carry out the works in the RSEO was of a poor and in some cases of a very poor standard. The Committee considered each item of required works against the standard of reasonable repair and proper working order and was mindful of the terms of the RSEO that any damage caused by the carrying out of any works in the RSEO is required to be made good. The Committee was satisfied that the Landlord had completed some requirements of the RSEO. The works completed to a standard which met the required repairing standard are items (c), (i), (k), (l), (m) and (n) of the RSEO. (PHOTOGRAPHS C, (i) 1, (i) 2, K1, L1, L2, and M1 illustrated these works which were considered to meet the repairing standard).

However, the Committee considered that the following works remained outstanding from the list of required works in the RSEO as the repairs were not to a reasonable standard of repair and in some instances displayed that the items were not in proper working order-

- b) The bath sealant remains in a very poor condition, the existing sealant has not been removed and the work to apply new sealant is of a very poor standard. (PHOTOGRAPHS b1-b3)
- d) Some works have been completed but, there are still gaps in the laminate flooring in the bathroom and the quality of boxing of the pipes is well below a reasonable standard and clearly not satisfactory. (PHOTOGRAPHS d1-d5)
- e) The water tank has been removed and the Committee is satisfied from a receipt produced by the Landlord that a licensed contractor was used. However, damage caused to plasterwork and decoration by the water leak has clearly not been fully rectified. (PHOTOGRAPHS e1-e5)
- f) The new section of timber at the newly glazed window has not been painted and there are still a number of broken/missing handles to several windows. (PHOTOGRAPHS f1-f4)
- g) The window on the 1st floor left has no working handles, the Committee is not convinced the 2 brass barrel bolts on this window are sufficient to meet the repairing standard both in terms of reasonable state of repair, or security and proper working order. (PHOTOGRAPHS g1-g2)
- j) The existing mortice lock to the back door has not been repaired or replaced, the new Yale lock does go some way to satisfy this item but is not sufficient to ensure the security

of this external door and hence cannot be said to be in a reasonable state of repair and in proper working order. (PHOTOGRAPHS J1-J2).

5. Submissions from Landlord and Landlord's representative

Prior to the re-inspection on 6 August 2015 the Landlord indicated that the works in the RSEO had been completed and the RSEO should be revoked. He enclosed an invoice from Ards Limited in respect of disposal of the asbestos tank.

Following the said inspection the Landlord's representative, Mr. Richard Mathews, attended a hearing before the Committee. He indicated that he acted as clerk of works for the completion of required works detailed in the RSEO. He stated that he has a degree in land management and agriculture from the Scottish Agricultural College at Auchincruive, Ayr. He conceded that some of the pipe work was not the tidiest but it was safe. He oversaw the work and confirmed that the damage referred to in the RSEO to the floor and ceiling was due to a leak from the waste trap. He considered the workmanship acceptable throughout and did not consider the associated damage to the property caused by the water leak required to be rectified. He considered the Landlord to have carried out the required works in the RSEO. He indicated that he would obtain a carbon monoxide alarm if this was a requirement following the recent installation of the gas central heating system.

Following issue of the Direction dated 24 August 2015 referred to previously, the Landlord on 26 August 2015 wrote and made a request (1) that the Committee do not ask Stirling Electrical Services Ltd to carry out the further inspection and report. He considered that Stirling Electrical Services Ltd would not be willing to attend and consequently a request for a report from them would be a futile exercise. He indicated that he had done due diligence on the company and was critical both of the company and the report that they had produced; and (2) that contact be made by the Committee to Altech Heating to clarify the discrepancy in the completion of the report in relation to whether the pipe work was satisfactory. He confirmed that he would instruct the remaining work indicated in the Direction.

On 28 August 2015 the Committee indicated that they still wished Stirling Electrical Services Limited to carry out the report as the purpose of the report was to compare the works carried out with the works identified in their original report. A copy of the photographs taken of the repair items by the Committee at the inspection on 6 August 2015 were sent to the Landlord as he had not been in attendance at the inspection and the Committee considered he should be given fair notice of the condition of the repair items being considered.

Following receipt of the reports prepared following the inspection on 18 September 2015, copies of the reports from Stirling Electrical Services Limited and the Gas Safe Register inspector were sent to the Landlord and his representations thereon were sought.

On 14 October 2015 the Landlord submitted written representations. He indicated that Mr. Perryman and Altech Heating had both issued gas safe certificates, and the inspection by the Gas Safe Register inspector found the installation safe and working thus falling within the repairing standard. He also attached a copy of an electrical installation condition report from Stirling Electrical Services Ltd who had completed the works and now issued a satisfactory report. He indicated that he now believed that he had complied with the RSEO and asked that it be revoked.

On 23 October 2015 the Landlord submitted confirmation in writing from Mr. Perryman that he had rectified the defects as required by the Gas Safe Register inspector within his report issued following his inspection on 18 September 2015. As outlined previously, one response by Mr. Perryman to a notified defect was that there was no requirement for a non-combustible shield. He referred to evidence supporting this but no such verification has been passed to the Committee

6. Decision and Reasons

The Committee considered the evidence from the inspection on 6 August and the findings relating to the shower following the attendance of the Committee at the house on 18 September; the representations of the Landlord and Landlord's agent; and the various reports submitted. The Committee is mindful during their deliberations of the provisions of Section 13(1) of the Act which specifies the repairing standard.

The Landlord indicated that it is sufficient for a boiler and central heating system to meet the repairing standard if these fittings are safe and working. However, that is not the standard in Section 13(1) (c) which the Committee must have regard to. The certification from Altech Heating has transpired, given the findings of the Gas Safe Register inspector, to be seriously flawed and is not acceptable. The Committee has made their views clear on the acceptability of certification from Mr. Perryman given the Committee's observations in an earlier decision on the workmanship of Mr. Perryman. The Committee's earlier position is further supported by the Gas Safe Register's inspection results on the standard of installation carried out by Mr. Perryman. This is essentially a new central heating system but it was not installed to current standards. Further checks require to be made by the Committee to check that the works detailed at item (a) of the RSEO have been completed to the repairing standard; and the works relating to fixing the plastic pipe work is completed to the repairing standard.

Apart from requirement (a) of the RSEO, there is clear evidence by observation of the house condition at the inspections of failure to comply with the RSEO and the findings in fact are referred to for specific details. In addition, in the course of carrying out works to comply with the requirement (b) in the RSEO, the shower has been replaced and yet it has not been reconnected to the water supply, and the electrical switch above the shower has been removed as a result of electrical works and a hole in the plaster/ tiles has been left and not repaired. In general following remedial works, no works to remedy the damage caused has been completed as is a requirement of the RSEO. There is ample evidence to support a failure to comply decision in this case and the Committee seriously considered this option. However, on balance the Committee decided, since the house is unoccupied and the poor condition of the house is likely to have a detrimental effect on adjoining properties that the public interest is best served by giving the Landlord one final chance to complete the repairs in the RSEO as varied. It is hoped that this decision will result in completion of all works still outstanding to a reasonable standard.

In the course of the re-inspections, the Committee observed the requirement for other works to the house which cannot be enforced as they are not part of the RSEO such as the cloakroom toilet door having a lock which operates from the hall side of the door but no lock on the cloakroom side of the door; plastering repairs to the walls; incomplete boxing of pipes; external timber on the house structure requiring treatment; the removal of rubbish in the back garden; external repairs to a downstairs window where fittings are needed to hold

the glazing securely in place; and works to the rainwater goods which the Committee observed are leaking. It would be a requirement of any re-letting of the house that these works are completed so that the house meets the repairing standard at the start of any tenancy in terms of Section 14(1) (a) of the Act (PHOTOGRAPHS 1-17). Some of these photographs also show damage which may not have been "made good" under the terms of the RSEO.

The Committee determined that the RSEO should be varied to reflect the current position with required repairs to the house and to extend the period for completion of the works detailed within the RSEO in terms of Section 25(1)(a) and Section 25(3) of the Housing (Scotland) Act 2006 (hereinafter referred to as "the Act"). The Landlord has until 15 January 2015 to comply with the RSEO. The members of the Committee were unanimous in their decision.

A Devanny

Chairperson
25 November 2015