



Notice of a Decision to Vary a Repairing Standard Enforcement Order

Ordered by the Private Rented Housing Committee

Case Reference Number: PRHP/RP/14/0188

Re: - 2/1 122 Kenmure Street, Glasgow G41 2NS ("the property")

Land Register Title No: GLA9245

The Parties:-

Mr Muzaffar Abbas, residing at 2/1 122 Kenmure Street, Glasgow G41 2NS ("the tenant")

And

Mr Omar Ali, residing at 32 Hamilton Avenue, Glasgow G41 4JD ("the landlord")

Repairing Standard Enforcement Order Against:

Mr Omar Ali, residing at 32 Hamilton Avenue, Glasgow G41 4JD ("the landlord")

The Private Rented Housing Committee having determined on 10 February 2015 that the Repairing Standard Enforcement Order relative to the property dated 18 November 2014 should be varied, the committee hereby varies the Repairing Standard Enforcement Order to the effect that the period allowed for the completion of the works required by the Repairing Standard Enforcement Order is extended for a further period of three weeks from the date of service of this notice.

Rights of Appeal

1. 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.
2. The appropriate respondent in such appeal proceedings is the other party to the proceedings and not the panel or the committee which made the decision.

Effects of Section 63

3. 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. 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.

IN WITNESS WHEREOF these presents typewritten on this and the preceding page are signed by Sarah Frances O'Neill, Chairperson of the Private Rented Housing Committee, at Glasgow on the 10th day of February Two Thousand and Fifteen before this witness, Carrick Smith Panel Clerk of Europa Building, 450 Argyle Street, Glasgow G2 8LH: -

Sarah O'Neill

Carrick Smith

Chairperson

Witness



Determination of the Private Rented Housing Committee

Statement of decision of the Private Rented Housing Committee under Section 25 of the Housing (Scotland) Act 2006

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Mr Muzaffar Abbas, residing at 2/1 122 Kenmure Street, Glasgow G41 2NS ("the tenant")

And

Mr Omar Ali, residing at 32 Hamilton Avenue, Glasgow G41 4JD ("the landlord")

Background

1. The Private Rented Housing Committee ('the committee') issued a decision on 18 November 2014 requiring the landlord to comply with the Repairing Standard Enforcement Order (RSEO) relative to the property issued by the committee on 18 November 2014 and served on 18 November 2014. The RSEO required the landlord to:
 1. Carry out the necessary repairs to the roof to ensure that the property is wind and watertight, and that the roof is in a reasonable state of repair and in proper working order.
 2. Carry out the necessary repairs to the ceiling above the living room to ensure that the property is wind and watertight, and that the ceiling is in a reasonable state of repair and in proper working order.

3. On completion of the repair works, ensure that all affected finishes and decoration are restored to an acceptable standard.

within four weeks of the date of service of the RSEO.

2. The landlord's agent advised the committee on 15 December 2014 that the work had been scheduled to go ahead, but had to be postponed due to high winds. On 18 December, the agent advised that due to several days of rain, the works had still not been completed, but that the roofer would do the work on the first suitable date. The committee expressed concerns about the delay in carrying out the works, but, given the imminent Christmas holidays, agreed to delay its re-inspection until the New Year.
3. The surveyor member of the committee carried out a re-inspection of the property on 2 February 2015. He found that the following works required by the RSEO had been undertaken:
 1. Roof repairs have been undertaken so that that the property is now wind and watertight.
 2. The living room ceiling has been made good and plastered and is in the process of drying out.

He reported, however, that the following works set out in the RSEO remained outstanding:

3. On completion of the repair works, (including plaster works drying out) ensure that all affected finishes and decoration are restored to an acceptable standard.
4. Given that the property is now wind and watertight, the aspects of the RSEO which are of primary importance, given their impact on the tenant, have been carried out. The committee therefore considers it reasonable to allow a further three weeks for the plaster repairs to dry out and the affected finishes and decoration to be made good.
5. The committee therefore considers that in all the circumstances it would be reasonable to vary the RSEO to allow a further period of three weeks for the completion of the works required. The committee accordingly varies the RSEO to extend the period for the completion of the works until three weeks from the date of service of the Notice of a Decision to Vary a Repairing Standard Enforcement Order dated 10 February 2015 in respect of the property.

Rights of Appeal

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Signed. **Sarah O'Neill**

Date...10/2/19.....

Chairperson