

# **Determination by The Private Rented Housing Committee**

## **Statement of decision of the Private Rented Housing Committee under Section 24 (1) of the Housing (Scotland) Act 2006**

Property at 22 Carnegie Place, Glenrothes KY6 2AX, Land Register Title Number FFE49667 ("The Property")

### **The Parties:-**

Ms Sharon Coleman formerly of 22 Carnegie Place, Glenrothes ("the Tenant")

Miss E Campbell, Westgates Farm Cottage, Westgates, Coaltown of Balgonie, Glenrothes ("the Landlord")

### **Background**

1. On 20 July 2010 the Private Rented Housing Committee issued a decision requiring the Landlord to comply with a Repairing Standard Enforcement Order made by the Committee on 20 July 2010.
2. The Committee reinspected the property on 17 September 2010. The Landlord was not present. The new Tenant in the property gave the Committee access.
3. The Committee noted from the inspection that the fixed ceiling light in the hallway has been made safe and put into proper working order and that the defective doors and drawers of the units in the kitchen have been rectified. The Committee also noted that the bath panel has been replaced and is now in a reasonable state of repair, but that one screw stands proud of the panel creating a potential hazard when getting in and out of the bath. The Committee consider that it would be safer if this was properly screwed in. The Committee are however satisfied that the Landlord has complied with the terms of b, c and d of the Repairing Standard Enforcement Order dated 20 July 2010.
4. In connection with the front door, the Committee noted that it is still ill fitting and there are gaps at the side and bottom of the door which have not been rectified. The rear door still has a large gap at the bottom and the Committee does not consider that either the front or rear door are wind and watertight and accordingly find that the Landlord has not complied with condition 'a' of the Repairing Standard Enforcement Order.
5. The Tenant present at the property advised that a joiner had been at the property the previous evening but had required extra parts before he could rectify the doors.
6. The Committee accordingly agreed to allow the Landlord a further period of 3 weeks to make the front and rear doors and frames of the property wind and watertight.

### **Right of Appeal**

1. 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**

2. 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 .....  
Chairperson

**J Lea**

..... Date

24 September 2010

**Notice of a Decision to Vary  
A Repairing Standard Enforcement Order**

**Ordered by the Private Rented Housing Committee**

**Re : Property at 22 Carnegie Place, Glenrothes KY6 2AX, Land Register Title Number FFE49667 ("The Property")**

**The Parties: Ms Sharon Coleman formerly of 22 Carnegie Place, Glenrothes ("the Tenant")**

**Miss E Campbell, Westgates Farm Cottage, Westgates, Coaltown of Balgonie, Glenrothes ("the Landlord")**

**NOTICE TO: Miss E Campbell, Westgates Farm Cottage, Westgates, Coaltown of Balgonie, Glenrothes ("the Landlord")**

The Private Rented Housing Committee having determined on 17 September 2010 that the **Repairing Standard Enforcement Order** relative to the Property served on 23<sup>rd</sup> July 2010 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. A further 3 weeks from the date of service of this Notice to Vary the Repairing Standard Enforcement Order be allowed for completion of the work to make the front and rear doors and frames of the property wind and watertight.

**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 type written on this page are executed by Judith V Lea, solicitor, Unit 3.5 The Granary Business Centre, Coal Road, Cupar, Fife, KY15 5YQ, chairperson of the Private Rented Housing Committee at Cupar on 24 September 2010 before this witness:-

**M Smith**

..... Witness

**J Lea**

..... Chairman

Maxine Smith  
Unit 3.5 Granary Business Centre  
Coal Road  
Cupar, Fife  
KY15 5YQ

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1. A further 3 weeks from the date of service of this Notice to Vary the Repairing Standard Enforcement Order be allowed for completion of the work to make the front and rear doors and frames of the property wind and watertight.

**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.

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**M Smith**

..... / ..... Witness

Maxine Smith  
Unit 3.5 Granary Business Centre  
Coal Road  
Cupar, Fife  
KY15 5YQ

**J Lea**

..... , Chairman

*Certified a true copy*  
*J Lea*