



Notice of a decision to Revoke

A Repairing Standard Enforcement Order

Ordered by the Private Rented Housing Committee

Re : The property Woodside, 16 Cloch Road, Gourock, Inverclyde, PA19 1AD being the subjects registered in the Land Register of Scotland under Title Number REN119877 ('the Property')

Alison Burns ('the Applicant')

James McCormick residing at Flat 3 Green Oak Way, Little Sisters of the Poor Holy Rosary Residence, 44 Union Street, Greenock, PA16 8DP and Anne O'Donnell residing at 55 Whiting Road, Wemyss Bay ('the Landlords')

NOTICE TO James McCormick residing at Flat 3 Green Oak Way, Little Sisters of the Poor Holy Rosary Residence, 44 Union Street, Greenock, PA16 8DP and Anne O'Donnell residing at 55 Whiting Road, Wemyss Bay ('the Landlords')

The Private Rented Housing Committee having determined that the work required by the **Repairing Standard Enforcement Order** relative to the Property dated 19th March 2012 is no longer necessary, the said **Repairing Standard Enforcement Order** is hereby revoked with effect from the date of service of this Notice.

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 revocation is suspended until the appeal is abandoned or finally determined, and where the appeal is abandoned or finally determined by confirming the decision, the revocation will be treated as having effect from the day on which the appeal is abandoned or so determined.

Signed
Chairperson
..... E Shedden

J Taylor

Date 8th May 2012

witness: ELIZABETH GIFFEN SHEDDEN, 65, High Street, Irvine



DETERMINATION BY PRIVATE RENTED HOUSING COMMITTEE

Statement relative to Revocation of Repairing Standard Enforcement Order Issued by the Private Rented Housing Committee under section 25 of the Housing (Scotland) Act 2006

Re : The property Woodside, 16 Cloch Road, Gourrock, Inverclyde, PA19 1AD being the subjects registered in the Land Register of Scotland under Title Number REN119877 ('the Property')

Alison Burns ('the Applicant')

James McCormick residing at Flat 3 Green Oak Way, Little Sisters of the Poor Holy Rosary Residence, 44 Union Street, Greenock, PA16 8DP and Anne O'Donnell residing at 55 Whiting Road, Wemyss Bay ('the Landlords')

Background

1. On 19th March 2012 the Private Rented Housing Committee ('the Committee') issued a Determination which decided that the Landlords had failed to comply with the duties imposed by Section 14 (1)(b) of the Housing (Scotland) Act 2006 ('the Act'). On the same date the Committee issued a Repairing Standard Enforcement Order ('RSEO') in respect of the property.
2. The RSEO made by the Committee required the Landlords to eradicate the dampness in the kitchen, two rear bedrooms, living room and front bedroom and carry out necessary redecoration. The works had to be completed 30th September 2012.
3. Anne O'Donnell, one of the Landlords applied to the Committee for revocation of the RSEO. In support of her application she produced:-
 - 3.1 A copy of an email she had sent to the Landlord Registration Service explaining that she intends to reside in the property with her family once the works are completed.
 - 3.2 Evidence that she is no longer registered with the Landlord Registration service as a Landlord.
 - 3.3 Detailed plans of the proposed attic conversion to the Property, which had been prepared by ATK Partnership.
 - 3.4 A letter from The Regeneration and Environment Department of Inverclyde Council dated 13th April 2012 acknowledging receipt of the Building Warrant application.
 - 3.5 A letter from Patrick J O'Neill Limited (Builders) which confirmed that they would commence the building works once the Building Warrant has been granted.
4. The Committee considered the application for Revocation of the RSEO made by Anne O'Donnell and were satisfied that the Landlords do not intend to re-let the Property.

Right of Appeal

- 5. 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

6. 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 8th May 2012
Chairperson