



Determination by Private Rented Housing Committee

Statement of Decision of the Private Rented Housing Committee

(Hereinafter referred to as "the Committee")

Under Section 24(1) of the Housing (Scotland) Act 2006

Case Reference Number: PRHP/RP/14/0020

Land Register Title No: REN123135

Re: Property at 1 Northpark Villas, Thornliebank, Glasgow, G46 8PB

The Parties:-

Ms Catherine Devlin formerly residing at 1 Northpark Villas, Thornliebank, Glasgow, G46 8POB ("the Tenant")

Mr Joseph Quinn and Ms Elaine Williamson, residing at 8 Cluny Drive, Newton Mearns, G77 6YG ("the Landlords")

The Committee comprised:-

Mr James Bauld	- Chairperson
Mr Charles Reid Thomas	- Surveyor member
Mr Colin Campbell	- Housing member

Decision:-

The Committee unanimously decided that the property complied with the Repairing Standard set out in Section 13 of the Housing (Scotland) Act 2006 ("the 2006 Act") and that the landlords had not failed to comply with any of the duties imposed upon the landlords by Section 14 of the said Act and accordingly the Committee determined that no Repairing Standard Enforcement Order (RSEO) required to be made.

Background:-

1. By application dated 22nd January 2014, the tenant made application to the Private Rented Housing Panel (PRHP) for a finding that the property at 1 Northpark Villas, Thornliebank, Glasgow did not meet the repairing standard.
2. After sundry procedure, a Private Rented Housing Committee inspected the property on 11th May 2014 and carried out a hearing.
3. Subsequent to that inspection and hearing, the Committee issued a Direction dated 4th July 2014 requiring the landlords to either produce a report from a suitably qualified electrician or electrical engineer confirming that the electrical installations within the property and the condition of the electrical wiring and supply were satisfactory or alternatively to produce evidence that the property had been marketed for open sale.
4. The landlords were given until 25th July 2014 to produce that evidence.
5. The Committee subsequently received a request from the landlords to extend the time limit for producing the report and the time limit was extended to 29th August 2014.
6. On 29th August 2014, the landlord sent an email to the offices of the Private Rented Housing Panel enclosing an Electrical Installation Condition Report for domestic premises prepared by Mr Stephen McGartland and approved and authorized by Mr John Bisset of Bisset Electrical. The report was dated 7th May 2014 and confirmed that the installations and wiring within the property were in satisfactory condition and met the appropriate standards. The report was circulated to the members of the Committee. The Committee members considered the terms of the said report and concluded that the report satisfied the terms of the Direction which had been issued. Accordingly the Committee determined that the property met the repairing standard and that the landlord had not failed in any of the relevant duties in connection with same.

Reasons for Decision

5. The committee concluded that they had carried out an inspection of the property and had carefully considered the documentary evidence produced by the landlords. The committee could find no evidence to support any of the allegations made by or on behalf of the tenant. The tenant had not been present during the inspection or at the hearing. The committee concluded that the property was in a state of repair which met the repairing standard and accordingly the committee were unanimous in their decision to dismiss the application.

Rights of Appeal

6. 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.
7. The appropriate respondent in such appeal proceedings is the other Party to the proceedings and not the PRHP of the Committee which made the decision.

Effects of Section 63

8. 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.
9. 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.

Signed **J Bauld**
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James Bauld, Chairperson

Date *17 October 2014*
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Signature of Witness **N Walker**
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Date *17 October 2014*
.....

Name: *NATALIE WALKER*

Address: 7 West George Street, Glasgow, G2 1BA

Designation: *SENIOR COURT ADMINISTRATOR*