



NOTICE OF A DECISION TO REVOKE

A Repairing Standard Enforcement Order

Ordered by the Private Rented Housing Committee

Re: Property at 2 Balgreggie Road, Cardenden, Fife, KY5 0NF, Land Certificate Title Number FFE72176 ("the House")

The Parties:-

Miss Gillian Clements, residing at the House ("the Tenant")

Mr Craig Williamson, 14 Jermond Drive, Irvine, KA12 9JL ("the Landlord")

Committee: Maurice O'Carroll (Chairperson), Susan Napier (Surveyor Member) and David Hughes Hallett (Housing Member)

NOTICE TO

Mr Craig Williamson, the Landlord

The Private Rented Housing Committee having determined that the work required by the **Repairing Standard Enforcement Order** relative to the House 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: **M O'Carroll**

Date: 17 April 2015

Chairperson

Witness: **T Whitelaw**

Tracy Whitelaw, Advocate Clerk, Parliament House, Edinburgh EH1 1RF



Statement relative to the Notice of the decision to Revoke

The Repairing Standard Enforcement Order

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Miss Gillian Clements, residing at the House ("the Tenant")

Mr Craig Williamson, 14 Jermond Drive, Irvine, KA12 9JL ("the Landlord")

Committee: Maurice O'Carroll (Chairperson), Susan Napier (Surveyor Member) and David Hughes Hallett (Housing Member)

Decision

The Committee having made such enquiries as it saw fit for the purposes of determining whether the Repairing Standard Enforcement Order ("RSEO") relative to the House following a decision of the Committee dated 16 May 2014 should be revoked in terms of section 25 of the Housing (Scotland) Act 2006 agreed that it should be revoked.

1. The RSEO required the Landlord to:
 1. To effect a complete renovation and overhaul of the roof in order to eradicate water ingress. Further to that, the Landlord is required to commission a report from a reputable roofing contractor who is a member of the Federation of Master Builders detailing the works to be carried out in order to make the House water tight. The report requires to be obtained with 30 days of service of this Repairing Standard Enforcement Notice ("RSEO") and a copy provided on receipt for approval by the Committee. Thereafter, to follow and execute the recommendations in the said report in full within 60 days of receiving it and provide proof to the Committee of having done so.
 2. To clear, clean and repair the guttering of the House in order for it to be made in full working order at the same time as the roof renovation and overhaul works referred to above are carried out.
 3. To repair the leak to the toilet and to repair the drainage system serving the bath so that it drains fully and properly and does not back up or result in any residue in the bath occurring. Further, to instruct an electrical safety

check to be carried out by a qualified electrical who is a member of the National Inspection Council of Electrical Installation Contractors (NICEIC) or SELECT Scotland in relation to all electrical fittings within the House to ensure and certify that they are safe and fit for use.

4. To repair or replace the gas fire in the lounge as necessary to ensure it is functioning and to ensure that it is safe and fit for use by means of certification from a Gas Safe engineer.
 5. To replace the carpet in the front room with a carpet which is equivalent to that which was present at the commencement of the tenancy. Also to decorate the front room to a standard equivalent to that which existed prior to the roof collapse in September 2013 and in any event to a standard which is reasonably fit for human habitation.
 6. To instruct and obtain a Gas Safety Certificate forthwith.
2. The RSEO specified that the works be carried out and completed by 15 July 2014.
 3. The surveyor member of the Committee re-inspected the property on 5 December 2014 and found that the required works had not been completed. Her findings were reported back to the remainder of the Committee.
 4. A completion enquiry questionnaire was subsequently sent to the parties. The Tenant did not respond. By letter dated 25 January 2015, the Landlord wrote to PRHP enclosing invoices in respect of the required roof repair, the required guttering repair and confirming that redecoration would be carried out. The Landlord also included gas and electrical safety certificates and confirmed that the Tenant's rent had been reduced from £695 to £525 per month and had been so reduced for the previous 12 months.

Decision

5. The Committee determined that the repairs as required by the RSEO had been substantially completed by the time of the Landlord's letter of 25 January 2015 and that the Tenant had no further complaint regarding the condition of the House. In the circumstances, the Committee considered that the RSEO was no longer required. Therefore they determined that the RSEO would be revoked in terms of s 25(1)(b) of the Act.
6. The decision of the Committee was unanimous.

Right of Appeal

7. 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.

Effect of section 63 of the Act

8. 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: **M O'Carroll**

Date: 17 April 2015

Chairperson