

Determination by The Private Rented Housing Committee

Statement of decision of the Private Rented Housing Committee under Section 25 (1) of the Housing (Scotland) Act 2006

Property at South Mains of Tillymorgan, Culsalmond, Inch being All and Whole Farm and Lands of South Mains of Tillymorgan, being the Lands particularly described in the in Disposition to Francis Middleton recorded in the general Register of Sasines on 20th December 1897 in the parish of Culsalmond. ("The Property")

The Parties:-

Mr F Buchanan, South Mains of Tillymorgan, Culsalmond, Inch ("the Tenant")

Mr Francis Massie and Mr Alexander Massie, trading as Alexander Massie & Sons, 6 Denwell Drive, Inch, Aberdeenshire ("the Landlords")

Background


1. On 28 October 2009 the Private Rented Housing Committee issued a decision requiring the Landlords to comply with a Repairing Standard Enforcement Order made by the Committee on 28 October 2009.
2. On 23 June 2010 the surveyor member of the Committee inspected the property and found that all the works required by Repairing Standard Enforcement Order had been carried apart from the work in connection with the water supply.
3. On 15 July 2010 the Repairing Standard Enforcement Order was varied to give another month for the water supply to be satisfactory resolved.
4. The Committee was due to re-inspect the property on 11 February 2011. However on 10 February 2011 the Tenant confirmed in writing that the issue with the water supply had now been resolved to his satisfaction by a number of measures implemented by the Landlords.
5. In the circumstances it was not necessary for the Committee to carry out the re-inspection.
6. The Committee is accordingly now satisfied that it is appropriate to revoke the Repairing Standard Enforcement Order.

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  Date

17 February 2011

Chairperson

Notice of a decision to Revoke
A Repairing Standard Enforcement Order
Ordered by the Private Rented Housing Committee

Prhp Ref: AB52/50/09

Re : Property at South Mains of Tillymorgan Culsalmond, Inch being All and Whole Farm and Lands of South Mains of Tillymorgan, being the Lands particularly described in the in Disposition to Francis Middleton recorded in the general Register of Sasines on 20th December 1897 in the parish of Culsalmond. ("The Property")

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NOTICE TO Mr Francis Massie and Mr Alexander Massie, trading as Alexander Massie & Sons, 6 Denwell Drive, Inch, Aberdeenshire ("the Landlords")

The Private Rented Housing Committee having determined on February 2011 that the work required by the **Repairing Standard Enforcement Order** relative to the Property served on 2 November 2009 as varied on 15 July 2010 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.......... Date 17 February 2011
Chairperson