



Notice of a decision to Vary

A Repairing Standard Enforcement Order

Ordered by the Private Rented Housing Committee

Re: Property known as Flat 3/2, 511 Duke Street, Glasgow G31 1DL, all as more particularly described in and registered in Land Certificate GLA 64736 (hereinafter referred to as "the house")

Mr. Alexander Scanlon Hogg, residing at the house, who is represented by his son-in-law, Mr. Hugh Sinclair, acting under a power of attorney, and who is legally represented by Ms. Joyce McCallum, of Turnbull McCarron, Solicitors, 457 Duke Street, Glasgow G31 1RD ("the Tenant")

Demor Investments Limited, incorporated under the Companies Acts and having their Registered Office at 1 Claremont Terrace, Glasgow whose director is Mr. D R Le Marquand, which company and director is represented by Ms. Carolanne Waters, an employee of Demor Lettings, 11/13 Cleveden Crescent, Glasgow ("the Landlord")

Reference PRHP/RP/13/0082

NOTICE TO Demor Investments Limited and Mr D R Le Marquand ("the Landlord")

The Private Rented Housing Committee having determined that the Repairing Standard Enforcement Order relative to the house dated 6 January 2014 and served on 9 January 2014 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:-

The time limit for carrying out and completion of the works specified in the said Repairing Standard Enforcement Order will be extended to 31 March 2014.

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 typewritten on this and the preceding page are executed by Mrs Aileen Margaret Devanny, Solicitor, Glasgow, Chairperson of the Private Rented Housing Committee at Glasgow on Seventh day of March 2014 in the presence of the undernoted witness :-

R Forbes

Witness

A Devanny

Chairperson

REBECCA FORBES Name in full

450 ARGYLE ST Address

GLASGOW, G2 8LH

PANEL CLEANER Occupation

~~07103~~



DETERMINATION BY PRIVATE RENTED HOUSING COMMITTEE

**STATEMENT OF DECISION OF THE PRIVATE RENTED HOUSING COMMITTEE
UNDER SECTION 26(1) OF THE HOUSING (SCOTLAND) ACT 2006**

In connection with

**Property at Flat 3/2, 511 Duke Street, Glasgow G31 1DL
(hereinafter referred to as "the house")**

Mr. Alexander Scanlon Hogg, residing at the house, who is represented by his son-in law, Mr. Hugh Sinclair, acting under a power of attorney, and who is legally represented by Ms. Joyce McCallum, of Turnbull McCarron, Solicitors, 457 Duke Street, Glasgow G31 1RD ("the Tenant")

Demor Investments Limited, incorporated under the Companies Acts and having their Registered Office at 1 Claremont Terrace, Glasgow whose director is Mr. D R Le Marquand, which company and director is represented by Ms. Carolanne Waters, an employee of Demor Lettings, 11/13 Cleveden Crescent, Glasgow ("the Landlord")

Reference PRHP/RP/13/0082

DECISION

The Private Rented Housing Committee ("the Committee"), having received a request for a variation of the Repairing Standard Enforcement Order ("RSEO") from the Landlord in terms of Section 25 of the Housing (Scotland) Act 2006 (hereinafter referred to as "the Act") to allow a further period for the completion of the required work, and the Committee, having sought representations from the Tenant's representative on the proposal and no objections have been received, the Committee have decided to grant a variation of the Repairing Standard Enforcement Order in terms of Section 25(1) (a) of the Housing (Scotland) Act 2006. The decision of the Committee was by majority since the surveyor member was unavailable.

Findings in Fact

1. A Repairing Standard Enforcement Order (hereinafter referred to as "RSEO") dated 6 January 2014 was issued requiring works as specified in the Order to be completed by 28 February 2014. The Notice of the RSEO was sent to the Landlord on 9 January 2014.

2. An e-mail request for an extension of the time period for completing works was received from the Landlord's agent on 20 February 2014 with a follow up e-mail on 25 February 2014 providing further information about the proposed completion date for the works. It was noted that these e-mails had been copied to the Tenant's representative at the time of submission to the Panel. However, the Committee considered that an opportunity should be given to the Tenant's representative to object to the variation and the e-mails were sent to her on 4 March 2014 with a request that she register any objection by midday on 7 March 2014. No such objection was received and the Committee has agreed to give until 31 March 2014 for completion of works specified in the RSEO. The Landlord's agent has indicated that they have been in communication with the Tenant regarding the works.
3. The Committee comprised the following members - Mrs. Aileen Devanny, Legal Member; and Mrs. Liz Dickson, Housing Member.

Reasons for the Decision

The Committee, mindful of Sections 25(2) and (3) of the Act, considered that it would be appropriate to give the Landlord an extension of the period required to complete the work detailed in the RSEO and issued a variation of the RSEO in terms of section 25(1)(a) of the Act. The variation provides until 31 March 2014 for completion of the required works in the RSEO.

Right of Appeal

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

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.

A Devanny

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Chairperson,
7 March 2014