



Notice of a decision to Vary

A Repairing Standard Enforcement Order

Ordered by the Private Rented Housing Committee

prhp Ref: PRHP/RP/14/0133

**Re : Property at38 Lanark Avenue, Deans, Livingston
EH54 8QL (“the Property”)**

The Parties:-

**Mark Paterson Mandagie, Davaar Avenue, Newton Mearns, Glasgow (“the
Landlord”)**

Laura Gray, 38 Lanark Avenue, Deans, Livingston EH54 8QL (“the Tenant”)

**NOTICE TO ... Mark Paterson Mandagie, Davaar Avenue, Newton Mearns,
Glasgow (“the Landlord”)**

The Private Rented Housing Committee having determined on 3 December 2014 that the **Repairing Standard Enforcement Order** relative to the Property served on 29 September 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 respects:-

1. The period allowed for the completion of the work required by the order is extended for a further 14 days.

Subsection 25(3) of the Housing (Scotland) Act 2006 does not apply in this case.

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 type written on this and the preceding page(s) are executed by John McHugh, solicitor, 3 Ponton Street, Edinburgh, chairperson of the Private Rented Housing Committee at Glasgow on Ninth December 2014 before this witness:-

_____ witness

John McHugh chairman

Luke McGuire name in full

450 Argyll Street Address

Glasgow

G2 8LH

Panel Clerk Occupation



DETERMINATION BY PRIVATE RENTED HOUSING COMMITTEE

**STATEMENT OF DECISION OF THE PRIVATE RENTED HOUSING COMMITTEE
UNDER SECTIONS 25(1)
OF THE HOUSING (SCOTLAND) ACT 2006**

In connection with

Property at 38 Lanark Avenue, Deans, Livingston EH54 8QL (hereinafter referred to as "the House")

Laura Gray, 38 Lanark Avenue, Deans, Livingston EH54 8QL (hereinafter referred to as "the Tenant")

Mark Paterson Mandagie, Davaar Avenue, Newton Mearns, Glasgow (hereinafter referred to as "the Landlord")

PRHP REFERENCE PRHP/RP/14/0133

DECISION

The Committee decided to vary the Repairing Standard Enforcement Order dated 29 September 2014 ("the RSEO") by extending the period for compliance with the provisions of the RSEO to the date occurring 14 days from the date of intimation of this decision.

The Committee comprised the following members:

John McHugh, Chairperson
Christine Anderson, Housing Member
Donald Marshall, Surveyor Member

Reasons for the Decision

The Landlord's new letting agent by email of 19 November 2014 advised the office of the PRHP that: there had been a change of letting agents; the new agents had been appointed by the Landlord's mortgage lenders; the previous agents had not

made the Landlord aware of the required repairs; and that the Landlord would now attend to the necessary repairs but would require further time to do so.

The Committee had regard to the submissions for the Landlord and considered that it would be reasonable to allow a short extension to allow the Landlord the opportunity to address the required repairs.

Decision

The Committee, considering the terms of section 25(1) of the Act, determined that the RSEO should be varied by extending the period for compliance with the provisions of the RSEO to the date occurring 14 days from the date of intimation of this decision.

The decision of the Committee was unanimous.

Right of Appeal

Section 64 of the Act provides a right of appeal to a landlord or tenant aggrieved by a decision of a private rented housing committee. An appeal may be made to the Sheriff within 21 days of the Landlord or Tenant being informed of the decision.

Where such an appeal is made, the effect of the decision and 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.

John McHugh
Chairperson

Date: 10 December 2014