



**Second Notice of Variation
of
A Repairing Standard Enforcement Order**

Ordered by the Private Rented Housing Committee

prhp Ref: PRHP/PA3/183/12

THE PROPERTY

**Flat 0/2, 11 North Street, Paisley PA3 2BS, registered in the Land Register for
Scotland under Title Number REN2215 ("the Property")**

THE PARTIES

**Mark John Unstead and and Sarah Jane Unstead, spouses, residing at 32
Rokeby Gardens, Woodford Green, Essex (represented by Scott Hume, Infiniti
Properties Management Ltd, 137 High Street, Glasgow G1 1PH)
("the Landlords")**

and

Sofia Vartsaki, residing formerly at the property ("the Tenant")

NOTICE TO Mark John Unstead and Sara Jane Unstead ("the Landlord")

**The Private Rented Housing Committee having determined that the Repairing
Standard Enforcement Order relative to the Property should be further varied in
terms of Section 25(3) of the Housing (Scotland) Act 2006, the said Repairing
Standard Enforcement Order is **HEREBY VARIED** with effect from the date of
service of this Notice in the following respect:-**

- 1. The period allowed for the completion of the work required by the order is
extended for a further 3 months 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 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 are executed as follows:

D Preston

..... Chairman

27-3-14 Date of Signing

Glasgow. Place of Signing

A Ross

..... Witness

ASHLEY ROSS Name

EUROPA BUILDINGS Address

150 ARGYLE ST.

GLASGOW

G2 8UH



**VARIATION OF REPAIRING STANDARD ENFORCEMENT ORDER UNDER
SECTION 25 OF THE HOUSING (SCOTLAND) ACT 2006**

BY THE

PRIVATE RENTED HOUSING COMMITTEE

THE PROPERTY

**Flat 0/2, 11 North Street, Paisley PA3 2BS registered in the Land Register for
Scotland under Title Number REN2215 ("the Property")**

THE PARTIES

Sofia Vartsaki, residing formerly at the property ("the Tenant")

and

**Mark John Unstead and Sarah Jane Unstead, spouses, residing at 32 Rokeby
Gardens, Woodford Green, Essex, per Scott Hume, Infiniti Properties
Management Ltd, 137 High Street, Glasgow G1 1PH ("the Landlords")**

PRHP Reference: PRHP/PA3/183/12

DATE: 20 March 2014

**The Committee, having considered a request by the Landlords to terminate the
Repairing Standard Enforcement Order (RSEO) dated 3 February 2013,
DETERMINED to vary the RSEO by extending the period within which the works
as defined therein shall be completed to a revised completion date being 3
months from the date of service of this Notice of Variation.**

Background

1. By email dated 25 February 2014 from Scott Hume, Infiniti Properties Management Ltd to PRHP, on behalf of the Landlords it was requested that the RSEO be varied further by extending the period within which the works require to be completed by the period of three months. The email advised that the time was required to enable the Landlord to undertake the following works:
 - 1.1. Damp Proof Course to rectify the affected areas of the property (Lounge, Kitchen & Rear Bedroom);
 - 1.2. Reconfiguration to rainwater goods situated at the rear of the property in order to stop the water penetration around the boiler cupboard in the rear bedroom;
 - 1.3. Repair to the rainwater downpipes situation at the front right of the building to rectify the water ingress to the front corner of the building/corner of the lounge.
2. Said email further explained that the basis of the request was that the Landlord's original agent had ceased trading and the business had been taken over by the Landlord's current agent. It explained that there had been some confusion as to whether the issues giving rise to the problems in the flat were common or specific to the property. The Landlord's agent expressed the view that he had the necessary contacts and experience to remedy the issues, although he indicated that he was completely new to the case but had familiarised himself with it.
3. The Committee noted that the works specified in the RSEO were as follows:
 - 3.1. To obtain a report from a chartered surveyor or suitably qualified damp and timber specialist who is accredited by an appropriate professional body and covered by adequate professional indemnity insurance, which report will address the issues clearly evident to the committee at the time of its inspection in the eastmost gable wall of the property, and which comprehensively covers the issues of rising and penetrating dampness in the property. The report should identify what works are necessary to rectify these defects.
 - 3.2. To lodge a copy of the report and its recommendations with the office of the Private Rented Housing Panel within a period of 6 weeks from the date of service of this Order.
 - 3.3. To carry out fully all works as required to address the issues identified for the elimination of the damp and water penetration and resultant damage to the property.

Reasons:

4. The Committee noted that the surveyor member had carried out re-inspection of the property on 14 February 2014 and that the Landlord's agent had been present. The Committee had regard to the Re-inspection Report by the surveyor member dated 25 February 2014 which recommended that a further period be granted to allow for completion of the works.
5. The Committee considered that it would be appropriate for the RSEO to be varied to reflect the works specified by the Landlord's agent and agreed that the extension of three months sought would be appropriate.
6. The Committee was satisfied that, notwithstanding that no work had been carried out to the property the circumstances outlined by the Landlord's agent indicated a degree of difficulty which had been experienced by the Landlord and in the light of the terms of the email dated 25 February 2014 an extended period of three months would be appropriate

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.

D Preston

..... Chairperson

20-3-14
..... Date