



**PRIVATE RENTED HOUSING PANEL**

**ANNUAL REPORT**

**2009**



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### SG/2010/239

Laid before the Scottish Parliament by the Scottish Ministers in pursuance of Paragraph 29(4) of the Housing (Scotland) Act 2006. November 2010.

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## PRESIDENT'S FOREWORD



In presenting this report, I would like to express my pleasure at being appointed President of the Panel. I consider it a privilege to have been given the opportunity to lead the Private Rented Housing Panel (prhp) in its efforts to provide an efficient and accessible adjudication service for tenants who seek redress against a small minority of private sector landlords who fail to keep their properties in a reasonable standard.

The prhp was created by the Housing (Scotland) Act 2006 with the aim of improving standards in private rented housing. As well as its role in considering complaints by tenants against landlords who fail to carry out necessary repairs, the prhp continue to undertake their former role as a Rent Assessment Panel for Scotland and still consider applications from landlords and tenants for a determination of a fair rent.

I am very impressed by the knowledge, experience and commitment of members who undertake a considerable caseload with good humour and enthusiasm. Similarly, I would like to put on record my thanks to the Panel Secretary and the staff for their dedication in delivering an efficient and user-friendly service despite an ever increasing volume of business.

I would also like to take this opportunity of paying tribute to my predecessor Isabel Montgomery under whose Presidency the work reported took place. She was committed to the work of the Panel and brought great knowledge and understanding of the housing market to the Panel. Isabel has moved on to a new judicial appointment and we wish her well for the future.

The prhp has a very important role to play in helping to improve the quality of housing in the private rented sector in Scotland. It is apparent from our work that, in a significant number of cases, an application to the prhp is all that is required to persuade landlords that the requested repairs should be undertaken. That is an indication that the legislative provisions are achieving their objective.

The volume of business which the Panel deals with continues to expand as is demonstrated in this Report. The Panel must therefore ensure that it is using all modern methods to enable it to meet its performance targets and provide a responsive, accessible and high quality service. We continue to actively publicise and raise awareness of our services amongst those who are involved in the private rented sector.

I have great pleasure in presenting this my first annual report. I hope that you find it interesting and informative.

  
Aileen Devanny  
Panel President

## Section 1

## Introduction to the prhp

### Structure

The Private Rented Housing Panel for Scotland is a Tribunal Non-Departmental Public Body (NDPB) which was originally known as the Rent Assessment Panel for Scotland. It is independent from Scottish Government and the Rent Registration Service. It has a Panel President with overall responsibility for the operation of the Panel, and a Vice President. The President is a solicitor and the Vice-President a chartered surveyor. During 2009 these posts were salaried part time public appointments. The Panel consists of a total of 38 members who are specialists in law, surveying and housing matters who have been appointed by Scottish Ministers. Members are remunerated on a fee basis. Details of the membership in 2009 can be found at Appendix A.

The Panel obtains support from a Panel Secretary and staff seconded from Scottish Government. The Panel Secretary carries out the administrative and corporate functions of the prhp. At the end of 2009 the Panel had 3 full time support staff in addition to the Panel Secretary. Based in an office at West Campbell Street in Glasgow, the staff are responsible for case management, scheduling hearings as well as clerking and support for Committees, finance and communication. The prhp Travel Plan can be seen at Appendix F.



The prhp offices on 3<sup>rd</sup> floor of 140 West Campbell Street, Glasgow

## The Work Of The Panel

The Panel has a tribunal function dealing with 3 main residential property matters - objections to Fair Rents fixed by Rent Officers under the Rent (Scotland) Act 1984; determining market rents for short assured tenancies and terms and/or market rents for statutory assured tenancies under the Housing (Scotland) Act 1988; and for determining referrals from tenants concerning the landlord's duty to meet the repairing standard under the Housing (Scotland) Act 2006. Applications by tenants under the 2006 Act have become the main area of involvement for the prhp involving the power to require necessary repairs to be carried out with powers of enforcement and leading ultimately to prosecution of the landlord.

Recently, a group of members from the Panel have been trained in mediation and this service is being offered as an alternative means of dispute resolution for cases referred under the 2006 Act.

The Panel members are responsible for the judicial functioning of the tribunal Committees. Each case is heard by a Committee comprising 3 members: a legal member who acts as chairperson and who is a solicitor or advocate; a surveyor member, who is a chartered surveyor; and a housing member who has experience of, or practical involvement in, housing related matters.



A Committee in action at our Glasgow office

## Section 2

## Our Aims And Values

### Our Aim

The prhp will carry out its statutory functions in a fair and impartial manner, and will provide an accessible, high quality and cost effective service to the Scottish community through the committed and professional approach of its staff and members.

### Our Values

- We are an independent body.
- We respect diversity and will provide fair treatment for everyone.
- We will be fair and unbiased in the decisions we make.
- We value our staff and members and will ensure that they are equipped with the training and information they require to fulfil their role most effectively.
- We will use our resources efficiently and cost effectively.
- We will seek effective liaison with third parties and representatives of the Scottish Government.
- We will work as a team to meet the targets we set.

### Our Pledge

Every Panel member and every member of staff is fully committed to providing the best possible service we can to all who come to us, no matter what their gender, sexual orientation, race, ethnicity, religion age, or physical or mental ability may be. We will do all we can to make our service efficient, accessible and user friendly.



An external inspection of a non-traditional tenement in a rent assessment appeal

### Rent Assessment Cases

The Committees continue to carry out the functions formerly carried out by the Rent Assessment Committees. The jurisdiction of these committees are contained in the Rent (Scotland) Act 1984 (the “1984 Act”) and the Housing (Scotland) Act 1988 (the “1988 Act”). Although the Panel has various statutory functions, the primary work of the Panel in this area is:-

- under the provisions of the 1984 Act, to consider appeals made by landlords or tenants against the rents registered by Rent Officers and to determine fair rents for properties in accordance with the provisions of that Act. An assessment of “Fair rent” must disregard the personal circumstances of the tenant and any improvements made by a tenant. There are three accepted methods of calculating a Fair Rent and the Committee must decide based on the evidence available, which is the most appropriate method to use. The first method of calculating fair rent is to consider the open market rent and then to make a

deduction from this to take account of any inflation in rental levels caused by a shortage of houses available for rent. The second method involves deciding a Fair Rent after comparing registered rents for similar houses in an area, and the third method involves calculating an appropriate level of return on the value of the property. In assessing a fair rent, regard has to be given to the age, character and location of the house, its state of repair and the furniture provided.

- Under the provisions of the 1988 Act to determine
  - (a) Appeals by tenants against the level of rents set by landlords and to decide a market rent for such properties in accordance with that Act, and
  - (b) Appeals by landlords or tenants where the other party has proposed a review of the terms of the tenancy.

The Committees provide an appeal route which is informal and inexpensive against the rental figure set by the Rent Officer. Legal representation is rare and parties are often unrepresented. There is a further right of appeal, on a point of law, to the Court of Session for a party who is unhappy with the Committee's decision. In 2009 there was one appeal to the Court of Session from a decision of a Committee and further details of that appeal can be found at Section 7 of the report.



Typical 4-in-a-block property under a regulated tenancy

During 2009 the Panel dealt with 58 Fair Rent cases and 13 Assured Tenancy referrals. A breakdown of the number of cases decided by the Panel's Committees over the ten year period to 2009 can be found in Appendix B.

## Repairing Standard Cases

The Housing (Scotland) Act 2006 (the 2006 Act) introduced a major new change to the work of the Panel. It was a cause for concern that many houses in the private rented sector in Scotland were known to be in need of some form of repair. The 2006 Act set out to address this problem by providing tenants with a new way of compelling a reluctant landlord to carry out necessary repairs. The 2006 Act sets a standard called the “repairing standard” and imposes a duty upon landlords to ensure that a house meets that standard. The measures in the 2006 Act should result in more homes in the private rented sector being maintained in a better state of repair.

Section 14 of the 2006 Act imposes a duty upon the landlord in a tenancy to ensure that the house meets the repairing standard at the start of the tenancy and at all times during the tenancy. In determining whether a house meets that standard of repair the age, character and prospective life of the house and its locality should be considered. Common parts of a flatted property can fall within the repairing standard if the owner has a maintenance responsibility for these parts and the tenant has a right to use these parts of the building.



Example of a common parts repair issue

The repairing standard is set out in section 13 of the 2006 Act. In terms of section 14, a house meets the **repairing standard** if -

- a. *the house is wind and water tight and in all other respects reasonably fit for human habitation;*
- b. *the structure and exterior of the house (including drains, gutters and external pipes) are in a reasonable state of repair and in proper working order,*
- c. *the installations in the house for the supply of water, gas and electricity and for sanitation, space heating and heating water are in a reasonable state of repair and in proper working order,*
- d. *any fixtures, fittings and appliances provided by the landlord under the tenancy are in a reasonable state of repair and in proper working order,*
- e. *any furnishings provided by the landlord under the tenancy are capable of being used safely for the purpose for which they are designed, and*
- f. *the house has satisfactory provision for detecting fires and for giving warning in the event of fire or suspected fire.*

## Application Procedure

Making an application to prhp is very straightforward. An application form is available from the prhp offices or may be downloaded from the website. The form guides tenants through the information which is required by prhp. The tenant will be asked to confirm that the landlord has been notified of the works which need to be completed.

Once an application is received at the prhp offices, it will be checked and if it does not provide the necessary details, then the tenant will be asked for additional information.

The Application will then be passed to the President or Vice-President who must decide within 14 days whether to refer the application to a Private Rented Housing Committee or whether to reject the application in certain very limited circumstances.

The President or Vice-President can delay referring the application, if it appears that there is a reasonable prospect of the dispute being resolved by the parties. If the tenant has indicated that he or she is willing to try to go to mediation, then the President or Vice-President will usually instruct the landlord to be contacted and asked if he or she would be willing to try and resolve the dispute by mediation. If so, mediation will be arranged. There is a pamphlet available from the prhp offices or from the website describing the mediation process. If no agreement is reached at mediation or the tenant or landlord does not wish to try mediation, then the case is referred to a Committee.

Appendix E shows a flowchart detailing the various stages of a Repairing Standard case.



**Private Rented Housing Panel**  
3rd Floor, 140 West Campbell Street  
Glasgow G2 4TZ  
Tel: 0141 572 1170 Fax: 0141 572 1171  
www.prhpscotland.gov.uk



Reference No (office use):

**Applications to the Private Rented Housing Panel**  
**Section 22(1) of the Housing (Scotland) Act 2006**

If you are filling in this form for someone else, please remember to fill it in as if you are the tenant of the property.

Fill in this form in black ink, block capitals and by ticking any boxes that apply. Remember that your landlord will be sent a copy of this form.

When we receive your application, we will send you a reference number which you should quote whenever you contact us.

We will store and process the information you provide in line with the Data Protection Act 1988. Under the Act you can ask to see all the information we have about you.

If any information you give in this form changes, you must immediately give us written details of the change. We aim to treat you politely and with care. In return we expect you to be polite to our staff.

**1. Details of the tenant**

a Title (Mr, Mrs, Miss, Ms)

b First name

c Last name

d Address and postcode

e Daytime telephone number\*

f Email address\*

\*Optional

prhp1

### The Repairing Standard Application Form

## Inspections And Hearings

Before determining a repairing standard case, the Committee inspect the house which is the subject of the complaint paying particular attention to the repairs complained of by the tenant. This allows the Committee to ascertain for themselves the condition of the house and any common parts complained of by the tenant and the likely cause of any



A Committee inspection

required works. Each of the parties is informed in advance of this visit and a suitable date and time is arranged for the inspection.

Following this inspection, a hearing takes place in a nearby venue and both tenant and landlord are invited to attend. There is no need for legal representation at these hearings as the process is conducted in a relatively informal manner. Strenuous efforts are made by the Panel to cater for any special needs at these hearings with interpreters being provided if required and efforts are made to ensure that venues are compliant with the Disability Discrimination Act 2005. The Committee's decision with their reasons for that decision is not issued immediately but will be issued as soon as is practicable after the Hearing.

If the Committee decide after considering all the facts and evidence that there has been



Gilmerton Community Centre, Edinburgh – a typical prhp Hearing venue

a failure on the part of the landlord to comply with the duty to ensure that the property meets the repairing standard, the Committee will issue a Repairing Standard Enforcement Order which will specify the works required to be carried out and a timescale for completion of the works. Whilst the works are outstanding and the Repairing Standard Enforcement Order is in place, the property cannot be re-let if it is vacated by the tenant.

Once the time has passed for completing the works, the property will be re-inspected and if the works are completed satisfactorily, a Completion Certificate will be issued.

If the works have not been completed or not completed to a satisfactory standard, then the Committee can, after considering any further representations from the landlord or tenant, issue a Failure to Comply Notice and can consider reducing the rent payable for the house by up to 90%. The Failure to Comply Notice is issued to the Landlords' Registration Section of the appropriate Local Authority. At that stage, the Panel will also refer the matter for prosecution as is an offence not to comply with a Repairing Standard Enforcement Order without reasonable excuse. If the landlord has good reasons for not completing the works within the timescale given, then the Committee can vary the order giving the landlord further time to complete the works.



Window complaint in a cottage property

Decisions of both the rent assessment and repairing standard Committees are published on the Panel's website. Details of the number of repairing standard applications received in 2009; the status of the applications at the end of 2009; and a breakdown of repairing standard cases by area for 2009 are shown at Appendix D.



Ceiling complaint in a tenement property

Many tenants contact the prhp offices for information and advice as to how to go about applying to us. A pro forma notification of repairs letter is available from the Panel offices and can be downloaded from the website. In many cases, tenants reported that sending this letter to the Landlord was sufficient to prompt necessary repairs. The existence of an effective means of redress for tenants was sufficient in itself to encourage landlords to carry out the work that needed to be done.

## Section 4

# Repairing Standard Case Studies

The following case studies are based on actual applications received by the prhp.

### Case Study 1

An application was received from a tenant complaining of numerous repairs and by the time of the inspection, the tenant had vacated the flat claiming she had been illegally evicted. The Committee exercised their powers in terms of the 2006 Act to proceed with the application even although the tenant had left the flat. Following upon an inspection/hearing which the landlord attended, the Committee determined that the flat did not meet the repairing standard as there was no smoke detector; signs of significant water ingress; the sitting room and kitchen windows were in a dangerous condition with broken and absent glazing and rotten timber sills; the mirrored wardrobe door was broken; the kitchen vinyl was damaged and causing a trip hazard and builder's rubble was present in the common close. The Committee made a Repairing Standard Enforcement Order (RSEO) which it can do even if the tenant has vacated the flat. The landlord did not carry out the works and a Notice for a Failure to Comply has been issued to the local authority and the landlord was prosecuted for non-compliance with the RSEO. The landlord cannot re-let the flat until the works are carried out otherwise he faces a further prosecution.

### Case Study 2

The tenant complained that the flat suffered from dampness due to water ingress from a defective roof. Part of the ceiling in a bedroom cupboard had fallen down due to the water ingress problems, there were signs of considerable dampness in the flat and plasterwork on the common close ceiling was cracked and crumbling. The roof was in the common ownership of all the owners in the tenement and the property factor had delayed instructing repairs due to a lack of funds from the landlord and other owners. The Committee were concerned about the safety of the block and advised the local authority of their concerns and placed a RSEO on the house requiring the landlord to undertake roofing works within a specified time. If there is no agreement with all the owners in the block, then the landlord will require to undertake the works and re-charge the other owners a proportion of the costs as detailed in the titles for the block.

### **An alternative way to resolve disputes**

The Private Rented Housing Panel was the first tribunal body in Scotland to introduce an in-house mediation service as an alternative form of resolving disputes. Many people find the idea of going to a hearing before a Committee daunting, and mediation can often resolve the problem without the need for a Committee to become involved.

Mediation is a way of settling disputes informally without the expense, time and bad feeling often involved in using formal procedures. Parties must opt-in to mediation, but, if they do, mediation has many advantages. The mediation service is free of charge, flexible and confidential, and is staffed by trained mediators. Choosing mediation allows the tenant and landlord to work out a solution best suited to their needs, instead of having a solution imposed upon them by a Committee. Because people have found their own solution to their problems, they are more likely to carry out what they have agreed to do. Mediation can often improve the relationship between the landlord and tenant. Once people have had the opportunity to talk through the issues, each party is better able to understand the other person's point of view. If mediation is successful, then the parties will sign up to an agreement which removes the prhp's further involvement in the repairing standard case unless either party complains that the agreement has been breached.

The Panel mediators are trained impartial people who are skilled in helping establish common ground in even the trickiest of situations. We have 13 trained mediators amongst our membership who have all undertaken a 40 hour course of training provided by SACRO, a Scottish Government sponsored organisation which specialises in a wide range of mediation services.

During 2009, there were 6 mediations in total with 5 reaching agreements between the landlord and tenant. Unfortunately, there was one agreement which resulted in dispute and the case had to be referred to a Committee for a decision.

## Section 6

## Appeals and Visits

Parties have a right to appeal to a Court against a decision made by a Committee. In relation to cases under the 1984 Act and the 1988 Act, parties have the right of appeal to the Court of Session. In relation to cases under the 2006 Act, there is a right of appeal to the Sheriff in the Sheriff Court for the area in which the property to which the application relates is situated.

There was one appeal considered by the Court of Session during 2009 in relation to a "Fair rent" case. As reported in the last Annual Report, the appeal was lodged on 16 January 2008 and as at 31 December 2009, no decision had been issued.

During 2009 there was one appeal to a Sheriff in relation to cases under the Repairing Standard jurisdiction. This appeal has since been dismissed, and the Repairing Standard Enforcement Order remains in place. The landlord will require to carry out the works detailed in the RSEO.

There were no visits during 2009 from the Administrative Justice and Tribunals Council, or any other regulatory body.

## Section 7

## Finance

The Panel is funded by the Scottish Government and was provided with a Budget for the financial year 1st January 2009 to 31st December 2009 was £481,000. During that same period, the amount the prhp actually spent was £394,417. The Panel was able to make overall savings in a number of areas. The prhp respond to the number of applications received and are a demand led service. It follows that the number of cases that the prhp has to deal with during the course of the year, and whether the cases require to be considered at a hearing, are factors which can vary from year to year and over which prhp has little control. However, these factors can impact greatly on the cost of providing the service. The length of the hearing is another factor which has significant cost implications.

The prhp provides a cost effective service to the public and seeks to keep costs to the minimum required to provide an efficient and effective service. The Panel will continue to strive to reduce its spending and will ensure that all resources are used effectively.

The work of the Tribunal is funded by the Scottish Ministers from the Housing Market and Supply Budget.

A breakdown of the budgetary figures can be found at appendix C.

## Section 8

## Tenancy Management Complaints

In terms of section 29 of the Housing (Scotland) Act 2006 the prhp must record and report the frequency with which applications to the Panel (whether valid or invalid within the terms of section 22) include complaints about the landlord's management of the tenancy.

There were no such complaints recorded during the period from 1st January - 31st December 2009.

It should be noted, however, that the prhp has no power to deal with complaints about the landlord's management of the tenancy, and this is made clear in the information leaflets which give details of the services provided by the Panel. The small number of such complaints therefore should not be regarded as evidence that problems relating to the landlord's management of the tenancy do not exist.

## Section 9

## Looking to the Future

### Training - Members

We recognise that focused, relevant and high quality training is essential to ensure that members are fully equipped to carry out their role as members of decision making Committees.

To this end, a series of training events took place during 2009 including a one day conference for all members with separate conferences arranged on other occasions for the legal chairpersons and surveyor members. Such events will ensure that members are fully equipped with the necessary knowledge and range of skills to conduct and decide cases and to continue to improve the service they deliver.

### Training - Staff

We will continue to ensure adequate and appropriate training for staff and provide opportunities for members of staff to use their initiative and individual skills for the benefit of the Panel. Because of the specialist nature of the work of the prhp, it is more appropriate to undertake in-house training to meet the needs of staff. We will continue to foster a positive working environment where members of staff are encouraged to use their knowledge and skills in an environment free from harassment, victimisation, discrimination and bullying.

Due to the increased number of applications, a new member of staff joined us in 2009 from Rent Registration Service.

### Corporate Governance

We will continue to strive for continuous improvement by meeting our targets and improving our service delivery.

### Making Scotland greener

We will look at ways to cut down our ecological footprint by promoting the use of electronic systems and bearing the environment in mind when we make our travel arrangements. When attending hearings and inspections, the members are encouraged to use public transport where possible or to car share. However, because of the extensive jurisdiction of the panel which can often involve rural destinations,

public transport is not always a feasible option. The surveyor member of the Panel is normally the appointed driver for a Committee.

## Communication with potential service users

We will continue to improve our web site to provide service users with the most up-to-date and relevant information. The Panel's dedicated website can be found at [www.prhpscotland.gov.uk](http://www.prhpscotland.gov.uk) New sections are being added and committee decisions being published. In 2009 we had over 9,000 visits to the website, and over 50,000 page views.

We will continue our policy of adding to the list of languages in which our information leaflets are available to continue to meet the needs of our changing diverse society.

We will look at how to provide information in other formats such as CD or DVD to meet the needs of those who may not be literate in English, or at all.

## How To Contact Us

**Address** 3rd Floor, 140 West Campbell Street, Glasgow G2 4TZ

**Telephone** 0141 572 1170

**Fax** 0141 572 1171

**Email** [admin@prhpscotland.gov.uk](mailto:admin@prhpscotland.gov.uk)

**Web:** [www.prhpscotland.gov.uk](http://www.prhpscotland.gov.uk)



## Glossary

**Appellant** – the person who makes the appeal

**Assured tenancy** – a private rented sector tenancy entered into after 2<sup>nd</sup> January 1989 provided it is the tenant's only or principal home and it does not fall within any of the exceptions listed in schedule 4 of the 1988 Act.

**Corporate governance** – the set of processes, customs, policies, laws and institutions affecting the way the organization is directed.

**Court of Session** – the supreme civil court of Scotland

**Diversity** – the state of being varied

**Fair rent** – a rent fixed in the way set out in section 48 of The Rent (Scotland) Act 1984

**Housing member** – The member of the Committee who is selected for his or her expertise in housing.

**Induction** – training for new members

**Jurisdiction** – having the power to make legal decisions and judgements

**Legislative provisions** – that which the law provides

**Mediation** – a fair and efficient process to help parties resolve their differences and reach agreement.

**Part VII Contract** – a contract between a tenant and a landlord who lives in the same house and has it as his principal home.

**Protected tenancy** – a tenancy where the contract between the tenant and the landlord is still in force.

**Regulated tenancy** – a tenancy which gives security of tenure and also protects the tenant from inflated rents arising just from a shortage of supply of properties to let.

**Rent Officer** – an independent, statutory officer, appointed by The Scottish Ministers, who determines and registers rents for houses let on regulated tenancies.

**Rent Registration Service** - The Rent Registration Service is set up by the Scottish Government and has three main functions, one of which is to provide valuations for tenants and landlords for fair rent registrations. Rent Officers working for the Rent Registration Service will assess a "Fair Rent" for a regulated tenancy. Either the landlord or tenant can then refer the case to the **prhp** if dissatisfied with the Rent Officer's decision.

**Repairing Standard** – the standard set out in section 13 of the 2006 Act.

**Reporting period** – 1<sup>st</sup> January – 31<sup>st</sup> December in any year except 2007, when the reporting period is 3<sup>rd</sup> September 2007 – 31<sup>st</sup> December 2007.

**Respondent** – the party against whom an application or appeal is made

**SACRO** – A Scottish organization which provides amongst other things mediation services and training for mediators.

**Seconded** – temporarily transferred to another position or role

**Sheriff Court** – Sheriff Courts provide the local court service in Scotland with each court serving a sheriff court district within a Sheriffdom.

**Short Assured Tenancy** – a special type of assured tenancy which gives the landlord special rights to repossess the house he has let, and gives rights to the tenant to apply to the **prhp** for a rent determination.

**Sisted** – held in abeyance until the parties to the action are ready to proceed.

**Statutory Tenancy** – the tenancy created when the contractual assured tenancy is brought to an end by the landlord serving a notice to quit, or where a tenant has succeeded to the tenancy.

“**The 1984 Act**” – The Rent (Scotland) Act 1984

“**The 1988 Act**” – The Housing (Scotland) Act 1988

“**The 2006 Act**” - The Housing (Scotland) Act 2006

## MEMBERS OF THE PRIVATE RENTED HOUSING PANEL DURING 2009

**CHAIRMEN**

Mr Jim Bauld LLB(Hons) Dip LP
Mr Andrew Cowan LLB(Hons) Dip LP
Mrs Aileen Devanny LLB NP
Mr Ron Handley LLB
Ms Judith Lea LLB MBA MSc
Mrs Anne McCamley BA LLB NP
Mr Ewan Miller LLB (Hons) Dip LP NP
Mrs Isabel Montgomery BA(Hons) NP (President)
Mr Derek O'Carroll LLB (Hons) Dip LP
Mrs Jacqui Taylor LLB(Hons) DipLP NP
Mr Steven Walker LLB(Hons) Dip ACI Arb

**SURVEYORS**

Mr Angus Anderson MRICS
Mr Mark Andrew FRICS FAAV
Mr Robert Buchan BSc FRICS (V-Pres)
Mr George H Campbell FRICS
Mr Alan T English FRICS
Mr David Godfrey ARICS
Mr Colin Hepburn ARICS
Mrs Sara Hesp LLB (Hons) BA(Hons) MRICS
Mr Mike Links FRICS
Mr Donald Marshall FRICS
Mr Ian Mowatt BSc FRICS
Ms Geraldine Wooley MA M.Ed MRICS MIED

**HOUSING MEMBERS**

Mrs Tanveer Ahmed
Mrs Christine Anderson
Mr John Blackwood
Mrs Susan Brown
Mr Scott Campbell
Mr Chris Harvey
Mr Michael Innes
Mr Tom Keenan
Ms Irene Kitson
Mr Andy McKay
Ms Liz Nicholson
Mr Jim Riach
Mrs Linda Robertson
Mr Michael Scott
Mr John Wolstencroft

APPENDIX B

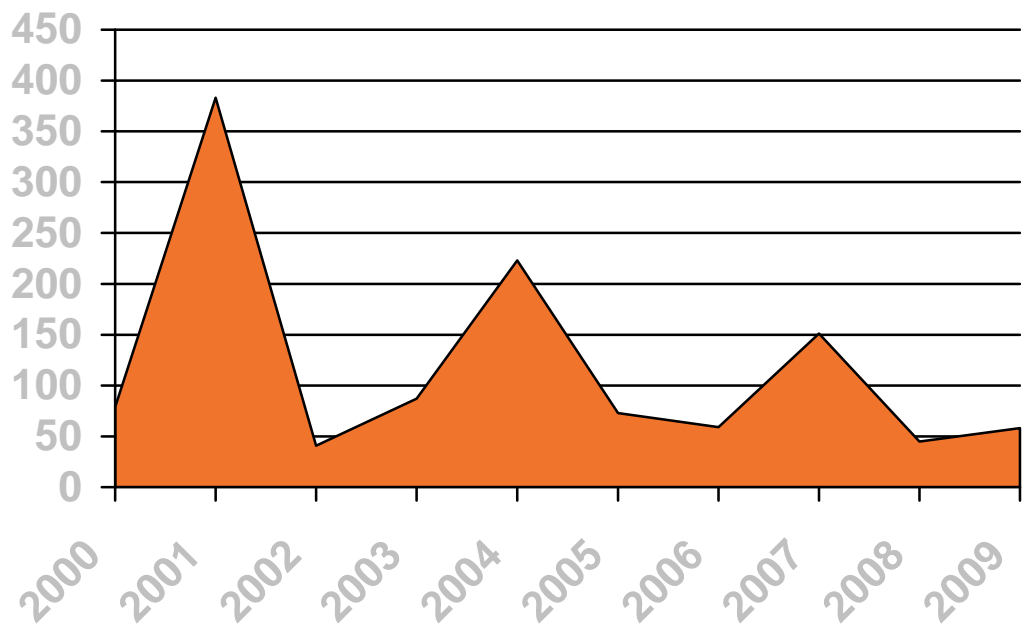
CASES DECIDED BY RENT ASSESSMENT COMMITTEES 2000-2009

	2000	2001	2002	2003	2004
Fair Rent cases	79	383	41	87	223
Assured Tenancies	11	17	12	18	8
Part VII Contracts	-	-	1	1	1
<b>TOTAL</b>	90	400	54	106	242

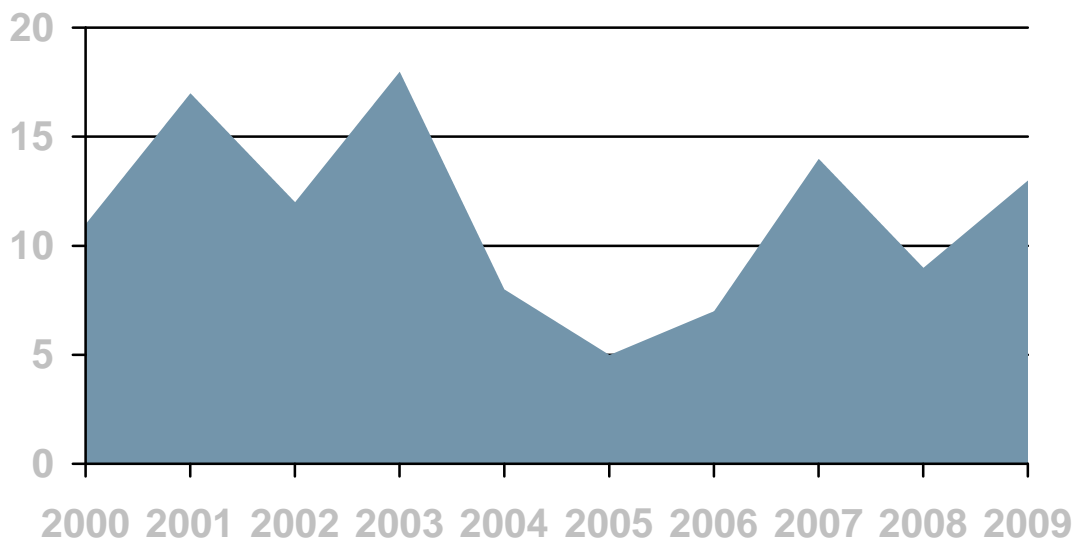
	2005	2006	2007	2008	2009
Fair Rent cases	73	59	151	45	58
Assured Tenancies	5	7	14	9	13
Part VII Contracts	1	-	-	-	-
<b>TOTAL</b>	78	66	165	54	71

It is observed that, as fair rent registrations occur every 3 years, there is a noticeable peak in numbers of appeals at 3 year intervals where a landlord of many properties regularly decides to appeal the decision of the Rent Officer. The charts on the following page illustrate this.

**Regulated**



**Assured**



## PRIVATE RENT HOUSING PANEL

## Expenditure and Management Statement for the financial year 2009/10\*

## Panel and Staff Numbers:

President and Vice President  
Members (as at 1<sup>st</sup> January 2009)

11 Chairmen comprising 5 female and 6 male  
12 Surveyors comprising 2 female and 10 male  
15 Housing comprising 6 female and 9 male

Support Staff 3

Expenditure Item	Actual 2008/09	Budget 2009/10	Actual 2009/2010	Variance
<b>Staff Salaries and Expenses:</b>				
President and Vice President	29788	35000	27055	-7945
Support Staff	68504	109000	101554	-7446
Staff Expenses (T&S)	7143	9000	5728	-3272
<b>Members Expenses:</b>				
Members Fees	131382	150000	150689	689
Members Expenses	21297	28000	18858	-9142
<b>Committee Costs:</b>				
Legal Expenses	2869	4000	1125	-2875
Training	7059	10000	7693	-2307
Hearing Costs	11329	10000	8703	-1297
Hospitality	977	1500	462	-1038
<b>Central Costs:</b>				
Accommodation	76096	77000	58496	-18504
Postal Costs	2646	3500	2656	-844
Library	410	500	Nil	-500
Advertising	Nil	15000	Nil	-15000
Stationery	2085	2000	1312	-688
Office Machinery	1463	3000	890	-2110
Printing/Copying	3046	5000	2428	-2572
Telecom Charges	2623	3500	2646	-854
Computer Charges	9160	15000	4122	-10878
<b>TOTAL</b>	<b>377877</b>	<b>481000</b>	<b>394417</b>	<b>-86583</b>

\* The above expenditure is shown on the basis of the financial year 1<sup>st</sup> April 2009 to 31<sup>st</sup> March 2010.

## Repairing Standard Cases Received by the Private Rented Housing Panel

The Panel received 124 new applications in 2009. There were also 79 cases brought forward from the previous year, meaning the overall number of cases dealt with in the year was 203. This is the breakdown for how these cases were dealt with:

### Status of Repairing Standard cases at the end of 2009

Ongoing    Decisions made    Withdrawn



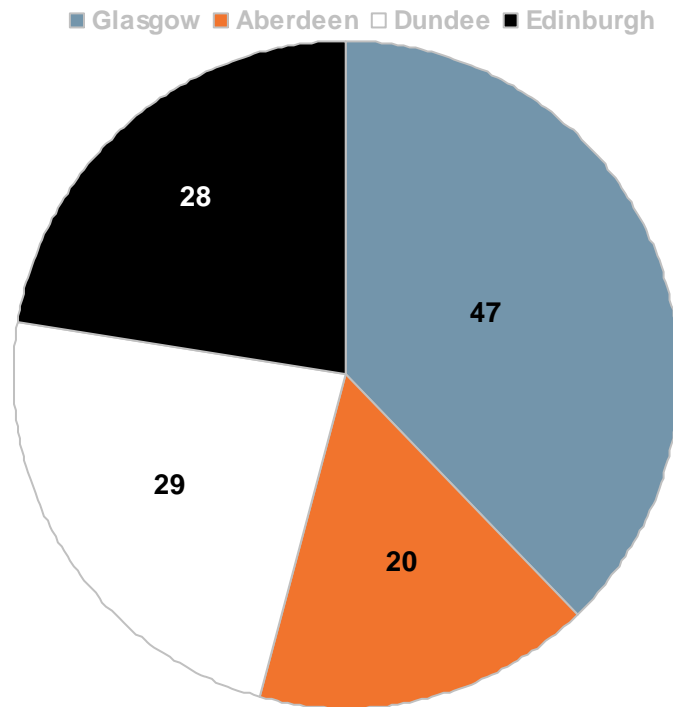
Of the 67 withdrawn cases, these have been further split to give a more detailed look at the reason for the withdrawal:

### Reason for withdrawal

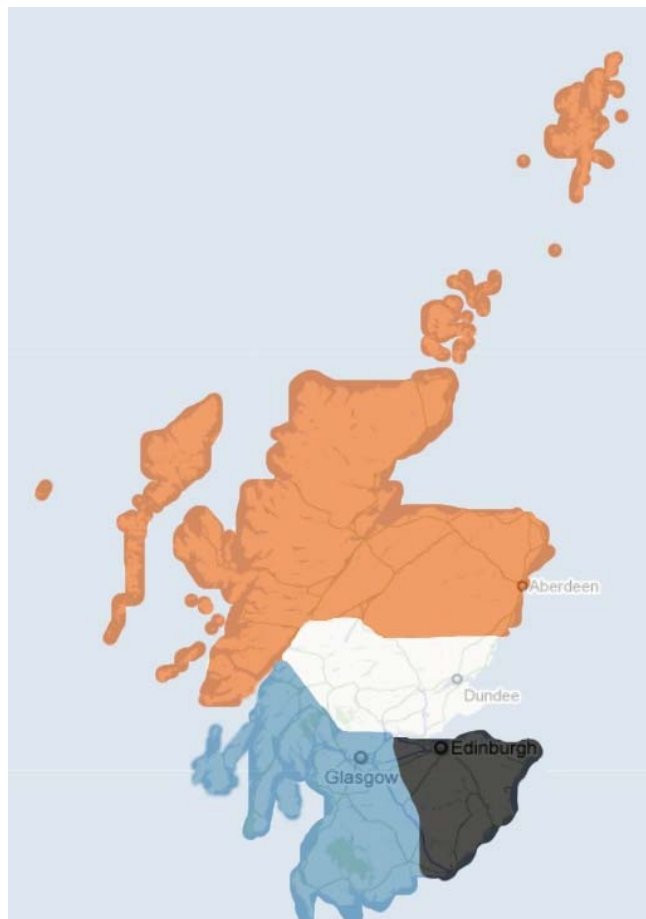
Repair work completed    Invalid application    abandoned



Breakdown of Repairing Standard applications by area for 2009



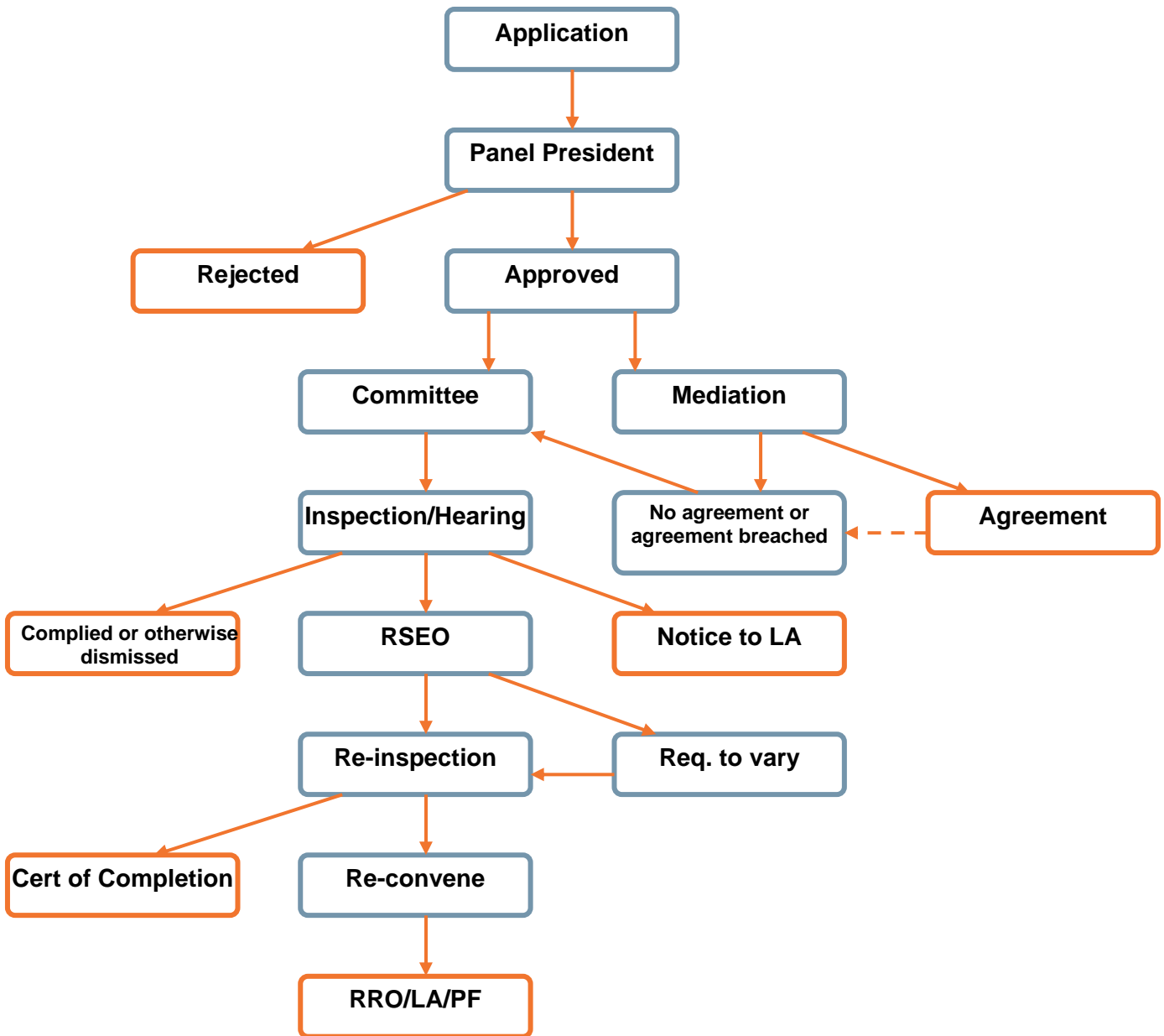
Approximate areas used for breakdown



Further information of location within each area

GLASGOW AREA	ABERDEEN AREA	DUNDEE AREA	EDINBURGH AREA
Airdrie	Aberdeen	Angus	Edinburgh
Bellshill	Aberdeen	Angus	Edinburgh
Blantyre	Aberdeen	Angus	Edinburgh
Castle Douglas	Aberdeen	Buckhaven	Edinburgh
Dunoon	Aberdeen	Coupar, Angus	Edinburgh
Glasgow	Aberdeen	Dundee	Edinburgh
Glasgow	Banff	Dundee	Edinburgh
Glasgow	Braemar	Dundee	Edinburgh
Glasgow	Dornoch	Dundee	Edinburgh
Glasgow	Fortrose	Dundee	Edinburgh
Glasgow	Insch	Dundee	Edinburgh
Glasgow	Invergordon	Dundee	Edinburgh
Glasgow	Inverness	Dundee	Edinburgh
Glasgow	Keith	Dunfermline	Edinburgh
Glasgow	Moray	Fife	Edinburgh
Glasgow	Nairn	Fife	Edinburgh
Glasgow	Nairn	Fife	Edinburgh
Glasgow	Strathdon	Fife	Edinburgh
Glasgow	Strathpeffer	Fife	Edinburgh
Glasgow	Sutherland	Glenrothes	Edinburgh
Glasgow		Glenrothes	Edinburgh
Glasgow		Glenrothes	Edinburgh
Glasgow		Glenrothes	Kelso
Glasgow		Kinross	Kirkliston
Glasgow		Perth	Peebles
Glasgow		Stirling	South Queensferry
Glasgow		Stirling	South Queensferry
Glasgow		Stirling	South Queensferry
Glasgow		Stirling	
Glasgow			
Glasgow			
Greenock			
Houston			
Irvine			
Irvine			
Irvine			
Kilmarnock			
Largs			
Oban			
Paisley			
Paisley			
Paisley			
Paisley			
Paisley			
Shotts			
Taynuilt			

Flowchart showing the progress of a Repairing Standard Case



Definitions:

RSEO  
RRO  
LA  
PF

Repairing Standard Enforcement Order  
Rent Relief Order  
Local Authority  
Procurator Fiscal

## Private Rented Housing Panel Travel Plan

- 1.** The Private Rented Housing Panel (**prhp**) is located in a suite of 6 rooms on the third floor of a traditional office building at 140 West Campbell Street, Glasgow conveniently located for public access in the centre of the city.
- 2.** Both Central station and Queen Street rail stations are within easy walking distance of the office. The office also has easy access to bus stops, Buchanan Bus Station and the underground rail system. The nearest bus stop is located around the corner from the office, with the main bus station a 10 minute walk away.
- 3.** The Private Rented Housing Panel offices have no designated car parking spaces. There is street parking with meters outside the office. There are two public car parks nearby. One is situated directly across from the office and there is another within a 5 minute walk.
- 4.** The Private Rented Housing Panel has 4 members of staff all of whom commute by rail to work. The Panel's work covers all areas of Scotland and the Panel has 38 part time members, including the President and Vice President.
- 5.** When attending hearings and inspections, the members are encouraged to travel where possible using public transport. This would normally mean travelling by train. Because of the extensive jurisdiction of the Panel, which includes many rural destinations, public transport is not always a feasible option. Where travel by car is a necessity, car sharing is utilised where that is the most cost and resource effective option. The surveyor member of the Panel is normally the appointed driver for a Committee.