

PRIVATE RENTED HOUSING PANEL

CASES DECIDED BY PRIVATE RENTED HOUSING COMMITTEE IN SCOTLAND April - June 2011

REFERENCE	ADDRESS	DESCRIPTION	PREVIOUS RENT Per annum £	RO RENT Per annum £	PRHC RENT per annum £	OBJECTOR
REGULATED CASES						
RAC/G42/788 30 Mar 2011	3/1, 200 Battlefield Road, Glasgow, G42 9HN	Third floor traditional tenement flat circa 1900 comprising 3 rooms, scullery kitchen and bathroom. Gross internal floor area = 66 square metres.	£3,180.00	£3,680.00	£3,680.00	L
RAC/EH11/791 31 Mar 2011	3F2, 4 Ritchie Place, Edinburgh, EH11 1DU	Third floor traditional tenement flat circa 1900 comprising two rooms, kitchen, bathroom and w.c. The gross internal floor area = 39 square metres.	£2,900.00	£3,480.00	£3,500.00	L
RAC/EH11/792 31 Mar 2011	2F4, 124 Gorgie Road, Edinburgh, EH11 2NR	Second floor traditional tenement flat built in 1886 comprising two rooms, kitchen, bathroom and w.c. The gross internal floor area = 46 square metres.	£2,750.00	£3,300.00	£3,500.00	L
RAC/EH11/793 3 May 2011	2F3, 2 Croall Place, Edinburgh, EH7 4LT	Second floor flat in pre-1919 traditional tenement building, comprising 3 rooms, kitchen-diner and bathroom. Modernised, with central heating. The gross internal floor area is 101 sq. m.	£3,800.00	£4,560.00	£4,550.00	L
RAC/EH8/794 3 May 2011	1F1, 13 Rankeillor Street, Edinburgh, EH8 9JA	First floor/at in pre-1919 traditional tenement building, comprising 3 rooms, kitchen-diner and bathroom. Modernised. The gross internal floor area is 110 sq. m.	£3,900.00	£4,680.00	£6,700.00	L
RAC/PA15/795 16 Jun 2011	0/1, 69 Dempster Street, Greenock, PA15 4EE	Ground floor flat in pre-1919 traditional tenement building, comprising 3 rooms, galley kitchen and bathroom, with central heating. Floor area approximately 64 square meters.	£2,600.00	£3,239.28	£4,680.00	L
RAC/PA15/796 16 Jun 2011	1/2, 69 Dempster Street, Greenock, PA15 4EE	First floor flat In pre-1919 traditional tenement building, comprising 2 rooms, galley kitchen and bathroom, with central heating. Floor area approximately 50 square meters.	£2,400.00	£2,911.32	£3,800.00	L
RAC/PA15/797 16 Jun 2011	1/1, 71 Dempster Street, Greenock, PA15 4EE	First floor flat in pre-1919 traditional tenement building, comprising 3 rooms, kitchen and bathroom.	£2,600.00	£3,208.56	£4,680.00	L

REFERENCE	ADDRESS	DESCRIPTION	PREVIOUS RENT Per annum £	RO RENT Per annum £	PRHC RENT per annum £	OBJECTOR
REGULATED CASES						
RAC/PA15/798 16 Jun 2011	2/1, 71 Dempster Street, Greenock, PA15 4EE	Second floor flat in pre-1919 traditional tenement building, comprising 2 rooms, kitchen and bathroom, with central heating. Floor area approximately 50 square meters.	£2,600.00	£3,208.56	£3,800.00	L
RAC/PA15/799 16 Jun 2011	1/1, 8 Murdieston Street, Greenock, PA15 4DU	First floor flat in pre-1919 traditional tenement building, comprising 2 rooms, kitchen and bathroom, with central heating. Floor area approximately 50 square meters.	£2,400.00	£2,880.60	£3,800.00	L
RAC/PA15/800 16 Jun 2011	1/1, 46 Inverkip Street, Greenock, PA15 1YT	First floor flat in pre-1919 traditional tenement building, comprising 2 rooms, kitchen and bathroom, with central heating. Floor area approximately 75 square meters.	£2,400.00	£2,880.60	£3,800.00	L
RAC/PA15801 16 Jun 2011	2/2, 61 Nicolson Street, Greenock, PA15 1TJ	Second floor flat in pre-1919 traditional tenement building, comprising 2 rooms, kitchen and bathroom, with electric heating. Floor area approximately 39 square meters.	£2,400.00	£2,884.92	£3,240.00	L
RAC/PA15/802 16 Jun 2011	3/3, 61 Nicolson Street, Greenock, PA15 1TJ	Third floor flat in pre-1919 traditional tenement building, comprising 2 rooms, kitchen and bathroom, with central heating. Floor area approximately 50 square meters.	£2,400.00	£2,884.92	£3,800.00	L
RAC/PA15/803 16 Jun 2011	1/1, 12 Murdieston Street, Greenock, PA15 4DU	First floor flat in pre-1919 traditional tenement building, comprising 3 rooms, galley kitchen and bathroom. Floor area approximately 53 square meters.	£2,600.00	£3,114.36	£4,200.00	L
RAC/PA15/804 16 Jun 2011	0/2, 7 Brachelston Street, Greenock, PA16 9AB	Ground floor flat in pre-1919 traditional tenement building, comprising 2 rooms, kitchen and bathroom, with electric heating. Floor area approximately 50 square meters.	£2,400.00	£2,911.32	£3,600.00	L
RAC/EH6/806 16 Jun 2011	3F2, 6 Lorne Street, Edinburgh, EH6 8QU	Top floor flat in 4 storey traditional tenement building, built with blonde sandstone and a pitched and slated roof. Circa 1875. Accommodation comprises Entrance Hall, Sitting Room, 2 Bedrooms, unmodernised Dining Kitchen, bathroom, and separate toilet. No double glazing or central heating. The internal floor area is. 89 sq m.	£3,950.00	£4,740.00	£5,600.00	L

REFERENCE	ADDRESS	DESCRIPTION	PRESENT RENT per annum £	PROPOSED NEW RENT per annum £	PRHC RENT per annum £
ASSURED CASES					
RAC/G42/A74 28 Mar 2011	0/1, 60 Ripon Drive, Glasgow, G20 5AW	Ground floor tenement flat within 4 storey buff sandstone tenement comprising living room, 2 bedrooms, kitchen, bathroom and hall. Gross floor area is approximately 66 sq. m.	£3,996.00	£4,800.00	£5,000.00
RAC/AB21/A78 21 Apr 2011	9 Walton Road, Bucksburn, Aberdeen, AB21 9TX	Detached Cottage C.1900 with oil central heating and double glazing, comprising 5 rooms, kitchen and bathroom. Gross internal floor area = 100 square metres.	£8,400.00	£9,600.00	£9,000.00
RAC/G83/A77 21 Apr 2011	2 Forestry Cottages, Succoth, Arrochar, G83 7AW	Semi-detached post war house comprising living room, kitchen. 3 bedrooms and bathroom.	£4,248.00	£4,752.00	£5,400.00
RAC/G52/A78 20 May 2011	52 Innerwick Drive, Glasgow, G52 2HY	Upper cottage flat within two storey block of four flats circa 1930 with gas central heating and partial double glazing comprising four rooms, kitchenette and bathroom with relative garden grounds.	£5,200.00	£6,000.00	£5,200.00

REFERENCE	ADDRESS	DESCRIPTION	PRESENT RENT per annum £	PRHC DECISION per annum £
SHORT ASSURED CASES				
RAC/G42/S57 25 May 2011	90 Ardnahoe Avenue, Toryglen, G42 0EU	Ground floor ex local authority flat. Accommodation living room, dining room, 2 bedrooms, bathroom and kitchen. Floor area approximately 70 sq m	£6,000.00	£5,100.00

REFERENCE	ADDRESS	Repairing Standards applied under	Decision date	Details
REPAIRING STANDARD: COMPLIED DECISIONS				
prhp/AB24/9/11	83c Jute Street, Aberdeen, AB24 3HA	13(1)(a-f)	10 May 11	<p>Overall, whilst the Committee accepted that the Property was dated, in particular both the bathroom and kitchen, and whilst it would benefit from a good clean, nonetheless the Property did appear to meet the repairing standard. It did appear that the Tenants had not treated the Property particularly well during their period of occupation and therefore on balance the Committee did not see any need to place a Repairing Standard Enforcement Order on the Property.</p> <p>The Committee accordingly determined that the Landlord had not failed to comply with the duty imposed by Section 14 (1) (b) of the Act. The decision of the Committee was unanimous.</p>
prhp/FK5/28/11	11 Torwood Avenue, Larbert, FK5 4NG	13(1)(a-c,f)	9 May 2011	<p>(a) The rotting windows require replacement; On 23'd May, 2011 the agent lodged photographs and confirmation with the Committee that CR Smith had completed the new window installation.</p> <p>(b) Repair water damaged wall in rear bedroom a result of the rotten window letting in water; On 23'd May, 2011 the agent lodged photographs and confirmation with the Committee that CR Smith had completed the new window installation. The Committee was of the opinion that the replacement of the rotten window would remedy this problem.</p> <p>(c) Central Heating system requires replacement; This issue was resolved prior to the inspection by the Committee. This was confirmed by the inspection.</p> <p>(d) The hob requires a gas safety certificate; The landlord produced a gas safety certificate dated 23'd March, 2011 which confirmed the hob was safe for use.</p> <p>(e) Driveway fence requires replacement; This issue was resolved prior to the inspection by the Committee. This was confirmed by the inspection.</p> <p>(f) Lock on side door does not fit; The side door has two locks. A fully functional yale lock and a mortice lock which fully functions internally. The door adequately locks. This was confirmed by the inspection.</p> <p>(g) Front door is leaking and letting in water. At the inspection, the front door area was checked with a damp meter. The readings were normal and no moisture was present.</p> <p>The Committee accordingly determines that the landlord has not failed to comply with the duty imposed by section 14(1) (b) of the Act in respect of all the complaints. The Committee accordingly dismisses the application.</p>

REFERENCE	ADDRESS	Repairing Standards applied under	Decision date	Details
REPAIRING STANDARD: COMPLIED DECISIONS (continued)				
prhp/DG1/44/11	80 Glebe Street, Dumfries, DG1 2LH	13(1)(a)	17 May 2011	<p>The Committee had little reason to doubt that a full damp course had been applied to the outer walls of the Property in March 1989 and that in October 2008 damp proofing had been applied to the internal wall between the lounge and the bedroom. We found no evidence of rising damp in the bedroom and we had no reason to doubt that the damp proofing was effective.</p> <p>The Committee accepted that there was evidence that there had been mould in the external wall of the bedroom. This was confirmed by Mr and Mrs Pilcher at the Hearing and was depicted in the photographs made available to the Committee. In any event, Mr Ford accepted that he had seen the mould on visiting the Property. The Committee accepted that Mr Ford had taken prompt action to remedy matters but his efforts had been frustrated by the ill health of Mr Telford. However appropriate action had been taken to eliminate the mould. We accepted that the area of mould in the bedroom was treated and repainted in March 2011. In the course of the inspection the Committee tested the external wall of the bedroom with a Protimeter and found no evidence of significant dampness. It was clear that any dampness was not rising damp or penetrating damp and was likely to be condensation. To minimise the effects of condensation the Committee suggest that a number of measures might assist reduce the effects of condensation. Such measures could include ensuring that the bedroom is properly ventilated, the Property is adequately heated, wardrobes/cupboards are ventilated, a space is left between furniture and the walls and clothes are not dried on radiators.</p> <p>The Committee determined that the Landlords had complied with the duty imposed by section 14(1) (b) of the Act. 19. The decision of the Committee was unanimous.</p>

REFERENCE	ADDRESS	Repairing Standards applied under	Decision date	Details
REPAIRNG STANDARD: CERTIFICATE OF COMPLETIONS				
prhp/G63/117/09	Flat 7, 73 Buchanan Street, Balfron, G63 0TW	13(1)(a-e)	1 Jun 2011	Given the findings of the Surveyor Member, the Committee considered that the dampness complaint had been satisfactorily resolved and that the outstanding minor roof defects were not impacting on the dampness within the house. In these circumstances the Committee decided to vary the RSEO to delete reference to the need for these outstanding minor roofing works detailed in the report of Richardson and Starling, Damp Specialists, and then determined that the RSEO have been satisfactorily completed and decided that it is appropriate to issue a Certificate of Completion in terms of Section 60 of the Act. The members of the Committee were unanimous in their decision.
prhp/DG1/10/10	5 Castle Street, Dumfries, DG1 1GJ	13(1)(a,b)	6 Apr 2011	The Committee noted that they had not specifically stated how the Landlords were to carry out the works to address the issues in the RSEO. In particular the Committee had not specifically stated that the rear wall was to be stripped back or the floorboards exposed etc. as suggested by the Tenant's solicitor's letter dated 11th March 2011. It was for the Landlords to carry out such works as were necessary to ensure that the property now met the Repairing Standard. The Committee are satisfied that all works required by the RSEO have been satisfactorily carried out. Accordingly the Committee decided to grant a Certificate of Completion.
prhp/TD12/16/10	3 Butterlaw Farm Cottages, Coldstream, TD12 4HQ	13(1)(a,c,f)	14 Apr 2011	The Committee, having made such enquiries as it sees fit for the purpose of determining whether the landlords have complied with the RSEO in relation to the property concerned and taking full account of all the evidence provided by both the tenant and the landlords now determine that the landlords have fully complied with the RSEO in terms of Section 26 (1) of the Housing (Scotland) Act 2006 and hereby determine that a Certificate of Completion should be issued in respect of said order. The Committee also revoke the Rent Relief Order made in terms of Section 27 of the Act. The Decision of the Committee is unanimous.
prhp/G83/123/10	28 Dumbain Crescent, West Dunbartonshire, G83 8DW	13(1)(a,c,d,f)	5 May 2011	On 21st March 2011 a surveyor member of the Private Rented Housing Panel inspected the property and found that all eight items have been resolved subject to the following: - (1) making safe of the external inspection pit (2) exhibition of a current Electrical PIR certificate and (3) exhibition of a valid gas safety certificate. Following the inspection by the surveyor member the Landlord forwarded (1) photographic evidence confirming that the external inspection pit had been in-filled and made safe (2) a current Electrical PIR certificate dated 17'h March 2011 and (3) a current valid gas safety certificate dated 1" December 2010. 5. Thereafter the Committee agreed that the works required by the RSEO have been completed.

REFERENCE	ADDRESS	Repairing Standards applied under	Decision date	Details
REPAIRNG STANDARD: CERTIFICATE OF COMPLETIONS (continued)				
prhp/KY6/140/10	14 Dunbar Court, Glenrothes, KY6 1JW	13(1)(a,c)	17 Jun 11	The Committee noted that:- • The holes and rot in the external timber of the porch and been filled and painted. • The inspection of the interior showed one or two localised spots of high instrumental moisture readings and a few localised areas of moderate meter readings all consistent with the interior drying out. • The inspection of the bathroom showed that the interior had been redecorated and there was no dampness apparent. • The musty smell previously present in the property had gone. The Committee was satisfied that all works required by the RSEO had been satisfactorily carried out. Accordingly, the Committee decided to grant a Certificate of completion.
prhp/G44/156/10	61 Croftend Avenue, Glasgow, G44 5PE	13(1)(b-d)	4 Apr 11	On 29 th March 2011 a surveyor member of the Private Rented Housing Panel inspected the property and found that all the gutters had been replaced with plastic! upvc fittings. Thereafter the Committee agreed that the works required by the RSEO had been completed and the appropriate Certificate of Completion in terms of Section 60 Housing (Scotland) Act 2006 should be issued.