

PRIVATE RENTED HOUSING PANEL

CASES DECIDED BY PRIVATE RENTED HOUSING COMMITTEE IN SCOTLAND January – March 2010

REFERENCE	ADDRESS	DESCRIPTION	PREVIOUS RENT Per annum £	RO RENT Per annum £	PRHC RENT per annum £	OBJECTOR
REGULATED CASES						
RAC/PA16/715 25 Nov 2009	1/1, 26 Newton Street, Greenock, PA16 8SL	First floor tenement flat circa 1900 with double glazing comprising living room, two bedrooms, kitchen and bathroom. Gross floor area = 70 square metres.	£2,613.00	£3,120.00	£4,030.00	L
RAC/PA16/716 25 Nov 2010	1/2, 26 Newton Street, Greenock, PA16 8SL	First floor tenement flat circa 1900 with double glazing comprising living room, two bedrooms, kitchen and bathroom. Gross floor area = 70 square metres.	£2,613.00	£3,120.00	£4,030.00	L
RAC/G31/717 12 Feb 2010	G/R, 34 Craigpark Drive, Glasgow, G31 2NP	Ground floor flat in red sandstone tenement C.1900 with double glazing, comprising entrance hall, living room, 1 bedroom, kitchen and bathroom.	£2,315.00	£2,645.00	£3,900.00	L
RAC/AB32/718 9 Feb 2010	Newfield Farmhouse, Echt, Skene, AB32 6XJ	Detached 1 and a half storey Cottage C.1900 with single glazing and no fixed heating, comprising 2 public rooms, 2 bedrooms, kitchen and bathroom.	£3,360.00	£4,000.20	£4,000.20	T
RAC/DD9/719 11 Feb 2010	The Old Post Office, Careston, Brechin, DD9 6SA	Single storey detached cottage C.1900 comprising entrance hall, living room, 2 bedrooms, kitchen and bathroom. The gross internal floor area is approximately 73 sq. m.	£3,000.00	£3,600.00	£4,200.00	L
RAC/G20/720 8 February 2010	3/2, 74 Sanda Street, Glasgow, G20 8PS	Third floor traditional tenement flat circa 1900 with dated double glazing and gas central heating living room, two bedrooms, living kitchen and shower room. Floor area 76 square metres or thereby.	£3,500.00	£4,100.00	£4,100.00	T
RAC/EH6/721 22 February 2010	2F3, 2 Lorne Place, Edinburgh, EH6 8QT	The subjects form a first floor flat in a four storey tenement block in a mixed residential area of the city. The subjects comprise a living room, a kitchen, a bedroom and a bathroom.	£2,700.00	£3,200.00	£4,200.00	L
RAC/EH6/722 22 February 2010	3F2, 10 Lorne Street, Edinburgh, EH6 8QU	The subjects form a third floor flat in a traditional four storey tenement block in a mixed, residential area of the city. The subjects comprise a living room, a kitchen/diner, two bedrooms and a bathroom.	£3,450.00	£4,000.00	£5,100.00	L

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REGULATED CASES						
RAC/EH8/724 22 Feb 2010	1F2, 11 Piersfield Grove, Edinburgh, EH8 7BU	The subjects form a first floor flat in a traditional four storey tenement block in a mixed residential area of the city. The subjects comprise a living room, a kitchen/diner, two bedrooms and a bathroom.	£2,300.00	£3,000.00	£3,900.00	L
RAC/G42/725 4 Mar 2010	1/1, 165 Stanmore Road, Glasgow, G42 9AN	First floor traditional tenement flat C. 1900 with gas central heating and double glazing comprising living room, three bedrooms, living kitchen and very small bathroom. The total floor space of the property is 128 sq. m.	£3,350.00	£4,050.00	£5,400.00	L
RAC/G11/726 5 Mar 2010	Main Door, 93 Turnberry Road, Glasgow, G11 5AS	Basement flat in a 3 storey and basement grey sandstone & tile tenement built C.1880 comprising 5 apartments, internal kitchen and bathroom. Gross internal floor area is approximately 120 sq. m.	£3,200.00	£6,200.00	£6,800.00	L

REFERENCE	ADDRESS	DESCRIPTION	PRESENT RENT per annum £	PROPOSED NEW RENT per annum £	PRHC RENT per annum £
ASSURED CASES					
RAC/AB21/A63 8 February 2010	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 is approximately 100 sq m.	£3,819.00	£10,800.00	£8,400.00

REFERENCE	ADDRESS	Repairing Standards applied under	Decision date	Details
REPAIRNG STANDARD: COMPLIED DECISIONS				
PRHP/EH7/57/09	63 Christiemiiller Avenue, Edinburgh, EH7 6TA	13(1)(a, c, d & f)	7 Dec 09	The Private Rented Housing Committee ("the Committee") inspected on 7th December 2009. At that time the Committee were able to fully inspect the Property and were satisfied that all items of complaint made by the previous Tenant had been repaired by the Landlord. The Committee were satisfied that all necessary works to bring the Property to Repairing Standard had been completed and that no further action was required.
PRHP/KA11/78/09	GFL, 284 Hardgate, Aberdeen, AB10 6AD	13(1)(a&d)	23 Nov 09	The Committee explained to both parties their view that bar a couple of minor matters, given the age, character and location of the Property it generally met the repairing standard. In relation to the two issues mentioned, the Committee were of the view that these would require to be dealt with. However, as they were at the very minor end of the scale they were agreeable to avoiding issuing a Repairing Standard Enforcement Order at the present time if the Landlord was prepared to do these minor repair works within the next 2 weeks. The Landlord's agents agreed to this. The Tenant also confirmed that he accepted the position. The Committee accordingly directed that the Landlord carry out the following works:- (a) the repair of the draught excluder to the front door: and (b) proper repair/insulation of the area around the gas ventilation flue. In the event that confirmation was obtained that these works had been carried out to the appropriate standard, then a Decision would be issued confirming the Landlord had complied with the terms of the Act. The Landlord's agent subsequently confirmed to the Clerk to the Committee on 7 December 2009 that the works had been done. The Clerk subsequently confirmed with the Tenant that these works had been carried out. The Tenant confirmed that they had and that they had been carried out to a satisfactory standard from the Tenant's perspective. The Committee accordingly determined that the Landlord had not failed to comply with the duty imposed by Section 14(1)(b) of the Act.
prhp/AB24/111/09	50 Merkland Road East, Aberdeen, AB24 5PZ	13(1)(a&d)	8 Mar 10	The light fitting was the only issue remaining. The Chairman advised that if the Landlord's agent were prepared to confirm to the Committee that they would carry out a replacement or repair of the light fitting swiftly then rather than the Committee issue a Repairing Standard Enforcement Order the Committee would, given the very minor nature of the works on this occasion, be prepared to adjourn matters to give the Landlord three weeks in which to carry out the works. If this was done and the Surveyor Member reinspected the Property and found that the light fitting had been repaired then a decision would be issued confirming that the Landlord had met the repairing standard and that no further action would be taken. The Tenant was asked by the Committee whether this would be an acceptable arrangement to him. He confirmed that it was. The Landlord's agent also confirmed that this would be an acceptable arrangement to her. The Surveyor Member carried out the reinspection of the Property on 19 March 2010 and found that the light fitting had been replaced with a satisfactory alternative. The Committee accordingly determined that the Landlord had not failed to comply with the duty imposed by Section 14 (1)(b) of the Act.

REFERENCE	ADDRESS	Repairing Standards applied under	Decision date	Details
REPAIRNG STANDARD: CERTIFICATE OF COMPLETIONS				
PRHP/ML6/15/09	6A Cairnhope Avenue, Airdrie, ML6 9EH	13(1)(a,c,d & f)	3 Feb 10	The Committee having carried out a re-inspection of the property and having heard from the tenant that he was satisfied that all necessary works in accordance with the Repairing Standard Enforcement Order had been completed now certify that the work has been so completed. In the circumstances the Committee have determined to issue a Certificate of Completion in respect of the property.
PRHP/G41/20/09	10 Melville Street, Glasgow, G41 2LN	13(1)(c&f)	4 Mar 10	On 25 February 2010 Mrs. Aileen Devanny, Legal Member of the Committee, and Mrs. Susan Brown, Housing Member of the Committee, carried out an inspection of the house for the purpose of ascertaining if the said repairs in the RSEO had been completed. Neither the Tenant nor the Landlord's agents were present at the inspection, although the Tenant had telephoned the office of the Private Rented Housing Panel in advance of the hearing to confirm that the windows in the house had been satisfactorily replaced with new windows and he had no complaints about these works. The said Committee members observed at the inspection that the windows had been replaced with new upvc framed windows and the works specified in the RSEO have been satisfactorily completed. The Committee considered it 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/PH2/46/09	9 The Cottages, Old Scone, Perth, PH2 6BB	13(1)(a)	2 Feb 10	On 1 December 2009 a member of the Committee re-inspected the Property and was satisfied that the works required by the Repairing Standard Enforcement Order dated 18 September 2009 had been completed. Consequently the Committee thereafter determined that the said Repairing Standard Enforcement Order was discharged

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REPAIRNG STANDARD: CERTIFICATE OF COMPLETIONS				
PRHP/EH15/68/09	52/6 Bath Street, Edinburgh, EH15 1HF	13(1)(a,d&f)	16 Mar 10	<p>On 28th February 2010 the chairperson and surveyor member of the Committee inspected the property and found as follows:-</p> <p>(a) The window in the left hand rear bedroom had been replaced with a new double glazed unit and was proper working order.</p> <p>(b) The threshold plate between the hall and the rear left hand bedroom had been secured such that it was safe and in proper working order.</p> <p>Further, the gas safety certificate, which was produced to them at the inspection on 28th February 2010, confirmed that the gas appliances and central heating boiler are safe, albeit that the certificate was unsigned. The landlord's agent advised the Committee that the gas safety engineer had inspected the gas appliances and central heating boiler on 27th February 2010 and issued the gas safety certificate following the inspection. He had advised the landlord's agent that gas safety certificates are no longer signed manually and therefore he had not signed the certificate. This was accepted by the chairperson and the surveyor member of the Committee.</p> <p>Thereafter the said chairperson and surveyor member of the Committee (as a majority of 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.</p>
PRHP/EH7/75/09	GF2, 38 Marionville Road, Edinburgh, EH7 5YB	13(1)(d, e & f)	11 Feb 10	<p>On 8 December 2009 Mr. Robert Buchan, Surveyor Member of the Committee, carried out an inspection of the house for the purpose of ascertaining if the said repairs in the RSEO had been completed. The Tenant and the Landlord's agent, Mr. Ronnie Houston, were present at the inspection of the house and were made aware of his findings. A report on his findings was submitted to the Committee indicating that the works detailed in the RSEO had been satisfactorily completed with the exception of the repair to the chair in the kitchen which still required the application of some glue to a support in one of the legs. At the inspection, Mr. Houston, the Landlord's agent, undertook to take the chair away for repair and to return it to the house following its repair.</p> <p>Since 9 December 2009 the Landlord' agent has been making attempts to return the said kitchen chair after carrying out the repair and he has been refused access to the house by the Tenant who has indicated that if he approaches the house, then she will report him to the police. The Tenant was advised in writing that failure to allow the Landlord's agent an opportunity to return the chair may result in the Committee considering a variation of the RSEO to delete this required repair and the Committee would then consider if there has been completion of the remaining works specified in the RSEO. The Tenant responded in writing reiterating her refusal to allow the Landlord's agent an opportunity to return the chair and submitted further complaints about the house which did not form part of the RSEO. The Committee considered her representations and in all the circumstances, the Committee considered that it would be reasonable to vary the RSEO in terms of Section 25(1) (a) of the Act. The variation provides for deletion of the requirement to repair the kitchen chair. Since the other works specified in the RSEO have, according to the surveyor's findings, been satisfactorily completed and the Tenant has stated no further complaints about these works, the Committee considered it 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.</p>

REFERENCE	ADDRESS	Repairing Standards applied under	Decision date	Details
REPAIRNG STANDARD: RSEO Revocations				
PRHP/EH7/75/09	54 Coniston Terrace, Dundee, DD2 3SN	13(1)(d, e & f)	4 Feb 10	It subsequently came to the attention of The Committee that the tenant had vacated the Property. The Committee received intimation that in or around September 2009 the landlord had concluded missives for the sale of the property. On 11 January 2010 a search of the Land Register confirmed that the property had been sold. In all these circumstances the Committee concluded that it was appropriate to revoke the Reporting Standard Enforcement Order.