

# MEMO

Shelter & Environment

**Housing & Environment**

4<sup>th</sup> Floor, St.Nicholas House



**ABERDEEN**  
CITY COUNCIL

To	Eric Anderson, Senior Solicitor, Corporate Governance, Town House		
From	Ally Thain, Private Sector Housing Manager, Housing & Environment		
Email	<a href="mailto:allyt@aberdeencity.gov.uk">allyt@aberdeencity.gov.uk</a>	Date	1 September 2011
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

**Civic Government (Scotland) Act 1982  
(Licensing of Houses in Multiple Occupation) Order 2000  
Application for the Renewal of a Licence to Operate a House in Multiple  
Occupation (HMO) at No.10 Sunnyside Avenue, Aberdeen  
Applicant/s: Stewart Mair  
Agent: Thomson Properties**

I refer to the above HMO Licence application, which is due to be considered by the Licensing Committee at its meeting on 14 September 2011, for the reason that one letter of objection was received by the HMO Unit.

I can advise you as follows:-

**The premises:-**

The premises to which this HMO Licence application relates is a two-storey house with accommodation comprising of four letting bedrooms, one public room, one kitchen and one bathroom. The position of the premises is shown on Appendix 'A' attached to this memo.

**The HMO application:-**

The HMO Licence application was received by the Council on 29 June 2011. the Certificate of Compliance submitted by the applicant's Agent states that the Notice for Display was displayed between 26 June 2011 – 17 July 2011.

**Works / Certification Requirements:-**

The HMO Officer carried out an initial inspection, then he wrote to the applicant on 18 July 2011, listing upgrading work and certification requirements to bring the property up to the current HMO standard. At the date of this memo, all requirements have not been met, although this is not the reason for referral to the Licensing Committee.

**Letters of objection:-**

One letter of objection was received by the HMO Unit within the statutory Notice period, and is therefore competent. The letter is attached as appendix B1.

**Letter from applicant's Agent:-**

As per the statutory requirement, the letter of objection was copied to the applicant's Agent who subsequently submitted a letter responding to the objection. The letter is attached as appendix C1.

**Other considerations:-**

- The Chief Constable, Grampian Police, has been consulted in respect of the applicant's suitability as a "fit and proper person", and has made no comments or objections.
- Grampian Fire & Rescue Service has been consulted in respect of the suitability of the property, and has made no comments or objections.
- At the date of this memo, the Council's Antisocial Behaviour Investigation Team (ASBIT) has no record of any complaint in respect of No.10 Sunnyside Avenue, Aberdeen.
- The applicant and his property are registered with the Landlord Registration database.
- The applicant has requested an occupancy of 4 persons, which is acceptable to the HMO Unit in terms of space and layout.

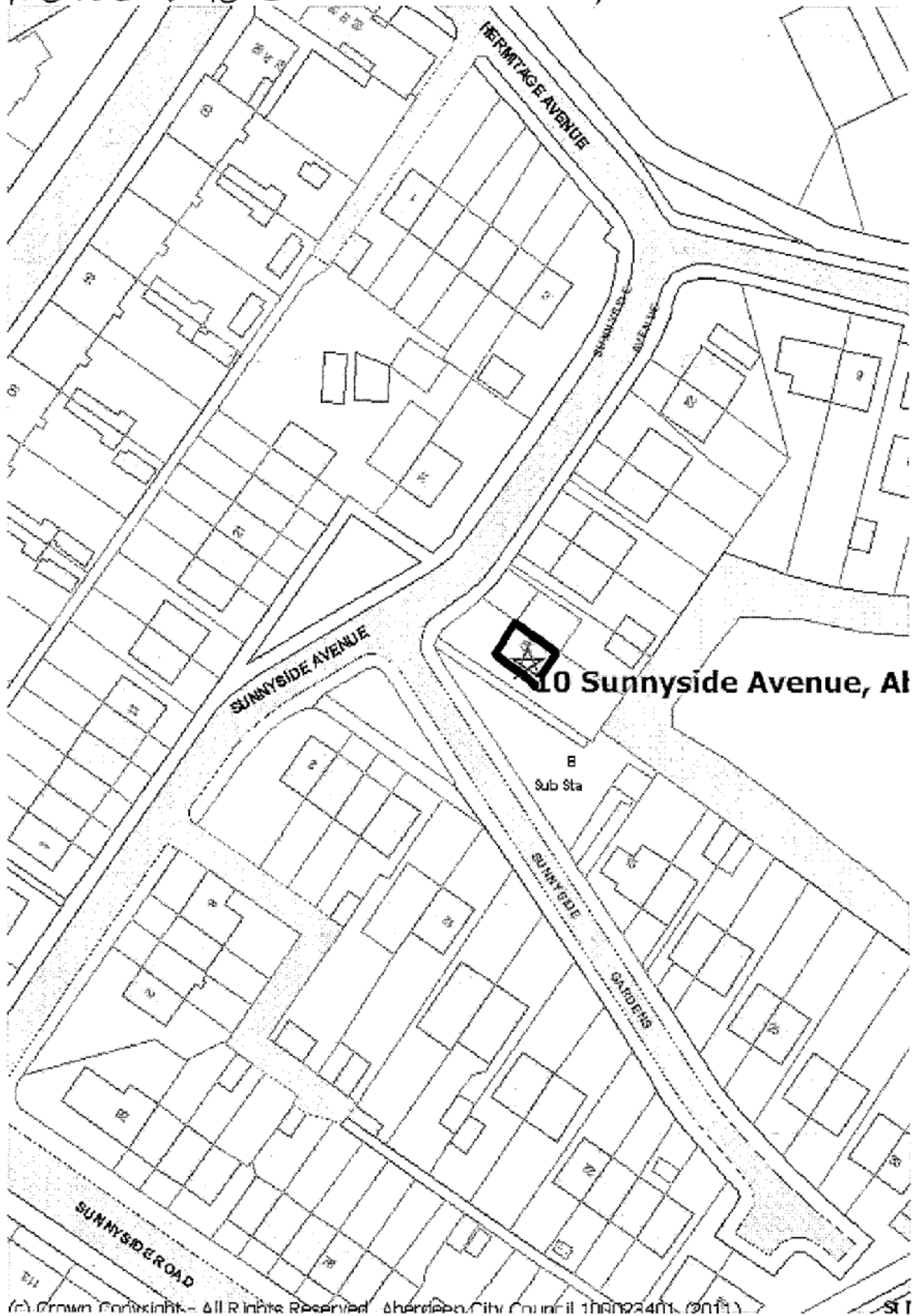
I trust the above explains the position. Please contact me on x2870 if you wish to discuss any of the above.

**Ally Thain**

Private Sector Housing Manager

A

TITLE: APPLICATION FOR HMO LICENCE  
PREMISES: 10 SUNNYSIDE AVENUE, ABERDEEN



10 Sunnyside Avenue, Ab

HMO Unit Housing and Environment  
4<sup>th</sup> Floor, St Nicholas House,  
Broad Street, Aberdeen AB10 1BX

B.1

[REDACTED]  
[REDACTED]  
[REDACTED]

2 July 2011

Dear Sirs,

Application for HMO Premission for  
10 Sunnyside Avenue. Aberdeen AB24 3LY

I am writing to object to this proposal to grant an HMO permit to this property. This area is suffering neglect because of the large number of properties being used for student accommodation. There are far too many student properties in the Sunnyside area with absent landlords and no proper control.

Last winter, the flat roof of this house, 10 Sunnyside Avenue, had to be repaired but the roofing contractor left an unsightly pile of rubbish from the flat roof repair littered across the grassed amenity area. I had manually to remove the debris off the grass area and stack it against the fence for this property to make it look a bit better and allow the grass to be cut. Nothing has been done for the last six months to get the rubbish removed and the students in the property were unable even to tell me who to get in touch with to complain to. I am also annoyed that the rear fence was partially removed while the roof was being repaired and again nothing has been done to restore it. The garden is being looked after but these things indicate that no one is really managing this property.

Yours sincerely,

[REDACTED]

Douglas Thain

ABERDEEN CITY COUNCIL	
Neighbourhood Services Central	
HMO Unit	
Date Received	5 JUL 2011
Date Logged on File	



C.1 [REDACTED]

12.02.2010

WITHOUT PREJUDICE

Aberdeen City Council,  
Housing & Environment Dept  
Floor 4 St Nicholas House  
Aberdeen AB10 1BX

For the attention of: Ally Thain

Dear Ally

**1 Objection to the Renewal of HMO Licence – 10 Sunnyside Avenue, Aberdeen**

With regard to the renewal of the HMO licence for 10 Sunnyside Avenue, Aberdeen. I wonder if you would inform the licensing committee that we have now cleared the debris from the side of the property and made the boundary fence stable as well. I have enclosed a letter that we received from Mr Thain and our letter of reply that we sent to him, in which we confirm that the debris was cleared and fence stabilized. You will see that we have offered the statement within our letter to Mr Thain that if he has any further problems to please contact as soon as he can in order that we can clear the problems as quickly as possible.

Hopefully you will see that we are producing clear evidence of our ongoing diligence to the properties management.

Yours sincerely

For Thomson Properties

Richard Thomson

ABERDEEN CITY COUNCIL	
Neighbourhood Services Central	
HMO Unit	
Date Received:	15 AUG 2011
Date Logged on Fiare	





17.07.2011

C.1 (copy)

Mr Douglas Thain  
[REDACTED]  
[REDACTED]  
[REDACTED]

Dear Mr Thain

**10 Sunnyside Avenue – Complaint**

We refer to your letter dated 2<sup>nd</sup> July 2011, and in this respect we have now had the opportunity to look into the points you raised within that letter. We have inspected the property and found that you were indeed correct that the debris from the repair carried out some time ago was left by the contractor. We have now had the same contractor go and collect the debris and make good any ground damage made from this. At our inspection we noted that the fence at our clients property was in need of attention and we instructed the contractor to repair this at the same time he collected the debris.

We now hope that the matters you have raised as complaints have now been fully attended to and that you are satisfied about the conclusion. However if you have any further point of note regarding the property please do not hesitate to contact our office in the future.

Yours sincerely

For Thomson Properties  
[REDACTED]

Richard Thomson

Copy



Thomson Properties and Mr Stewart Mair

C.1 (cont)

[REDACTED]  
[REDACTED]  
[REDACTED]

2 July 2011

Dear Sir,

10 Sunnyside Avenue. Aberdeen

I am writing to complain about the unsightly pile of rubbish from the flat roof repair at the above property that has been lying on the grass amenity area for the past 6 months.

I am also annoyed that the rear fence has been partially removed and nothing has been done to restore it.

Can you please arrange to have these things attended to, as they are unsightly and they lower the tone of the area, which is already suffering from neglect from too many student accommodation properties?

Yours sincerely,

[REDACTED]  
[REDACTED]

Douglas Thain