



Certificate of completion of work

Issued by the Private Rented Housing Committee

Under section 60 of the Housing (Scotland) Act 2006

prhp Ref: PRHP/DD3/159/12

Re: Property at 1 Beaully Square, Dundee, DD3 0DL ("the Property")

Title No: ANG7374

The Parties:-

STOBMUIR ENTERPRISES LIMITED, 15 Albert Street, Dundee, DD4 6NS ("the Landlord")

LAURA DEASLEY residing at 1 Beaully Square, Dundee, DD3 0DL ("the Tenant")

CERTIFICATE OF COMPLETION

The Private Rented Housing Committee hereby certifies that the work required by the **Repairing Standard Enforcement Order** relative to the Property served on 19 December 2012 has been completed. Accordingly, the said Repairing Standard Enforcement Order relative to the property has been discharged.

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.

In witness whereof these presents type written on this and the preceding page are executed by Ewan Kenneth Miller, Solicitor, Whitehall House, 33 Yeaman Shore, Dundee, DD1 4BJ, Chairperson of the Private Rented Housing Committee at Dundee on 23 September 2013 before this witness:-

L Johnston

witness

Lindsay Johnston
Secretary
Thorntons Law LLP
Whitehall House
33 Yeaman Shore
Dundee
DD1 4BJ

E Miller

Chairman



Statement of decision of the Private Rented Housing Committee under the Housing (Scotland) Act 2006

prhp Ref: PRHP/DD3/159/12

Re: Property at 1 Beaully Square, Dundee, DD3 0DL ("the Property")

The Parties:-

LAURA DEASLEY residing at 1 Beaully Square, Dundee, DD3 0DL ("the Tenant")

STOBMUIR ENTERPRISES LIMITED, 15 Albert Street, Dundee, DD4 6NS ("the Landlord")

Decision

The Private Rented Housing Committee, having made such enquiries as were appropriate for the purposes of determining whether the Landlord had complied with the Repairing Standard Enforcement Order ("RSEO") in relation to the Property concerned and taking account of the subsequent inspection and Hearing by the Committee, determined that the Landlord had now complied with the terms of the RSEO and resolved to issue a Certificate of Completion in respect of the works required by the RSEO.

Background

1. By way of a Decision dated 19 December 2012 the Private Rented Housing Committee had issued a determination that the Landlord had failed to comply with the duties imposed by Section 14(1)(b) of the Housing (Scotland) Act 2006 ("the Act").
2. The Committee had placed an RSEO on the Property also dated 19 December 2012. The RSEO required the Landlord:-
 - (a) To repair or replace the front door and the surrounding frame to ensure that the door is capable of being opened and closed smoothly, is properly wind and watertight and otherwise meets the repairing standard.
 - (b) To install air vents to the replacement windows recently installed by the Landlord to ensure compliance with the repairing standard.
 - (c) To carry out such works as are necessary to the steps and access pathway leading from the front gate to the front door to ensure it is in a safe and useable condition and otherwise meets the repairing standard.
 - (d) To produce a further gas safety certificate confirming that all items listed are marked as a "pass".

The RSEO gave the Landlord a period of 6 weeks to carry out the works.

3. Subsequent to the original Hearing a further inspection and hearing was carried out on 5 June 2013. The result of the subsequent hearing was that the only remaining item to allow compliance with the RSEO was in relation to the access pathway. The Landlord had laid chips around the new path that had been created. However, as was indicated in the sub-committee's decision of 13 June 2013 (issued following the hearing of 5 June 2013), the chips were of very poor quality and contained pieces of metal, screws, nails and other

sharp items. Accordingly the original RSEO had been varied by virtue of the Decision of 13 June 2013 to give the Landlord a further 28 days to remove the chips and replace them with an appropriate quality of chips.

4. On 16 August 2013 the Surveyor Member Mr D C Godfrey carried out a final reinspection of the Property. The old chips had been removed and new chips had been laid in their place. The new chips were free of metal and other inappropriate items.
5. The Committee considered the results of the reinspection. The Committee was satisfied that all items under the RSEO had now been carried out. Accordingly the Committee resolved that the RSEO would be lifted and a Certificate of Completion discharging the RSEO under Section 60 of the Act would be granted.

Decision

6. The decision of the Committee was to discharge the RSEO.
7. The decision of the Committee was unanimous.

Right of Appeal

8. **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

9. 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.

E Miller

Signed Date..... 24/9/2013
Chairperson