



## **Certificate of completion of work**

**Issued by the Private Rented Housing Committee**

**Under section 60 of the Housing (Scotland) Act 2006**

**prhp Ref: PRHP/IV51/68/13**

**Re: Property at Altavaig, 3 Flodigarry, Portree, Isle of Skye, IV51 9HZ ("the Property")**

**Title No: INV4119**

**The Parties:-**

**MISS IMOGEN MACQUARRIE residing at Altavaig, 3 Flodigarry, Portree, Isle of Skye, IV51 9HZ ("the Tenant")**

**SKYE HOLIDAYS LIMITED a company incorporated under the Companies Acts (Company Number 4880840) and, prior to dissolution, having their Registered Office at The Old House, Deanslade Farm, Claypit Lane, Lichfield, Staffordshire, WS14 0AG ("the Landlord")**

**QUEEN'S AND LORD TREASURER'S REMEMBRANCER, Unit 5, 14 South St Andrew Street, Edinburgh, EH2 2AZ ("the QLTR")**

**GREATOAK LIMITED, a company incorporated under the Companies Acts (Company Number 02842790) and having its Registered Office at The Old House, Deanslade Farm, Claypit Lane, Lichfield, Staffordshire, WS14 0AG ("Greatoak")**

### **CERTIFICATE OF COMPLETION**

The Private Rented Housing Committee hereby certifies that the work required by the **Repairing Standard Enforcement Order** relative to the Property dated 5 July 2013 as subsequently varied 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 4 July 2014 before this witness:-

  
**L Johnston**

\_\_\_\_ witness

**E Miller**

Chairman

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



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

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Re: Property at Altavaig, 3 Flodigarry, Portree, Isle of Skye, IV51 9HZ ("the Property")

### The Parties:-

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### Decision

The Private Rented Housing Committee, having made such enquiries as was 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 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 5 July 2013, 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 5 July 2013. The RSEO required the Landlord:-
  - (a) To produce a clear gas safety certificate from a suitably qualified gas safe registered engineer confirming that the gas installation and appliances at the Property comply in all respects with the relevant regulations.
  - (b) To replace the former radiator in the kitchen with a proper working radiator compliant with the repairing standard.

- (c) Subject to any requirements relating to the issue of a gas safety certificate to either repair/redecorate the area where the former vent above the door was or to install a new covering/vent over this.
- (d) To install a hardwired interlinked smoke detection system compliant with the relevant regulations.
- (e) To produce a clear electrical installation condition report over all of the electrical systems within the Property, produced by a suitably qualified electrical engineer.
- (f) To carry out such works of repair or replacement and adjustment to the rear door/frame at the Property, sufficient to render it properly wind and watertight and otherwise compliant with the repairing standard.
- (g) To carry out such works of repair or replacement to the guttering at the Property to ensure it is in proper working order.
- (h) To carry out a levelling of the access road running along the front of the Property and to erect a suitable protective barrier sufficient to significantly reduce the risk of any vehicle or person falling down the slope.

The RSEO gave the Landlord a period of 4 months to carry out the works.

3. A reinspection of the Property was subsequently arranged for 20 March 2014 and a further Hearing was held.

During the course of that inspection it was noted that some works had been carried out by the Landlord. The hardwired interlinked smoke detection system had been installed, a new door had been installed at the rear of the Property and significant works had been done to ensure that the road along the front of the Property was properly level and had a safety barrier.

However, a clear electrical installation condition report over the Property had not yet been produced and no gas safety certificate had been provided either. Further to the Hearing of 20 March 2013, a further Decision was issued that gave an extension of the period to the Landlord to complete the outstanding works required by the RSEO to 30 June 2014.

Subsequent to this variation of the original RSEO, it transpired that the Tenant had now left the Property. The Landlord subsequently produced a clear gas safety certificate relating to the Property and also a clear electrical installation condition report. These were the two principal items that the Committee had been concerned about as there had been safety concerns about both the gas and electrical issues. The Committee considered matters and noted that any other items required by the RSEO had been fairly minor points. Given that the Tenant had now left the Property and that all the safety issues (the electrical system, the lack of a smoke alarm, the gas system and the unsafe access road) had all been addressed the Committee could see no merit in continuing with the RSEO. 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**

4. The decision of the Committee was unanimous.

#### **Right of Appeal**

5. **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.**

17. **Effect of section 63**

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 .....  
Chairperson

Date.....

6/7/19