



**Notice of Revocation of Rent Relief Order
by the Private Rented Housing Committee**

prhp Ref: PRHP/DD4/185/11

RE: Property at 34H Baldovan Terrace, Dundee, DD4 6LS ("the Property")

The Parties:

MISS ANETA BARAN residing at 34H Baldovan Terrace, Dundee, DD4 6LS
(represented by her agent Ms Trudy Gill of Dundee North Law Centre) ("the Tenant")

MR HABIBUR RAMHAM CHOWDHURY residing at 4 Westfield Place, Dundee ("the
Landlord")

NOTICE TO MR HABIBUR RAMHAM CHOWDHURY ("the Landlord")

Considering that the Private Rented Housing Committee issued a Notice under Section 60 of the Housing (Scotland) Act 2006, dated 30 April 2014, certifying that the work required by the Repairing Standard Enforcement Order relative to the house dated 20 March 2012 has been completed therefore in terms of Section 27(4)(b) of the Housing (Scotland) Act 2006 the Committee hereby revoke the Rent Relief Order in relation to the Property dated 29 June 2012 with effect from 49 days after the notification of the decision to revoke the rent relief order or where an appeal is made, 28 days after the date in which the appeal is abandoned or finally determined; all as detailed in Section 63(4) and (5) of the Housing (Scotland) Act 2006.

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 _____ before this witness:-

L Johnston

witness

E Miller

Chairman

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



Certificate of completion of work

Issued by the Private Rented Housing Committee

Under section 60 of the Housing (Scotland) Act 2006

prhp Ref: PRHP/DD4/185/11

RE: Property at 34H Baldovan Terrace, Dundee, DD4 6LS ("the Property")

Title No: ANG17261

The Parties:-

MR HABIBUR RAMHAM CHOWDHURY residing at 4 Westfield Place, Dundee ("the Landlord")

MISS ANETA BARAN residing at 34H Baldovan Terrace, Dundee, DD4 6LS (represented by her agent Ms Trudy Gill of Dundee North Law Centre) ("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 20 March 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 30 April 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

prhp Ref: PRHP/DD4/185/11

RE: Property at 34H Baldovan Terrace, Dundee, DD4 6LS ("the Property")

The Parties:-

MISS ANETA BARAN residing at 34H Baldovan Terrace, Dundee, DD4 6LS (represented by her agent Ms Trudy Gill of Dundee North Law Centre) ("the Tenant")

MR HABIBUR RAMHAM CHOWDHURY residing at 4 Westfield Place, Dundee ("the Landlord")

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 20 March 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 20 March 2012. The RSEO required the Landlord to:-
 - (a) carry out such works as are necessary to allow the Landlord to exhibit a clear and current Gas Safety Certificate confirming that the gas boiler and all other gas appliances within the Property are in proper working order and otherwise comply with the repairing standard;
 - (b) carry out such works to the electrical and wiring system within the Property in order to enable the Landlord to exhibit to the Committee a clear periodic inspection report from a suitably qualified electrician confirming that the installation is satisfactory. Without prejudice to the generality of the foregoing the Landlord shall require to carry out remedial works for items 3, 4, 5, 7, 8, 14 and 15 of the previous periodic inspection report dated 24th June 2011;
 - (c) carry out such works as are necessary to ensure that the sink and bath within the Property are draining correctly and not leaking into the flat below the Property.
3. On 23 April 2012 a reinspection of the Property had been carried out. Whilst some works had been carried out the Landlord had failed to comply with the terms of the RSEO. The Committee subsequently issued a Rent Relief Order in the amount of 75% by virtue of a Decision dated 29 June 2012.
4. A further reinspection was carried out on the Property by the original Surveyor Member of the Committee on 26 February 2014. The Landlord was present. The Tenant was not

present having removed from the Property. The Surveyor Member reported to the Committee that the works had now advanced significantly. A new gas combi boiler had been fitted at the Property. It was also clear that various electrical works had been carried out. In the bathroom a new bathroom suite and shower had been installed and appeared to be in working order. The Landlord had also now fitted a hardwired smoke alarm system.

Whilst it was clear the works had been carried out, the appropriate paperwork certifying compliance with the regulations was not present. The Landlord had produced a gas safety certificate but this was for another property. No Electrical Installation Condition Report had been produced.

Accordingly the Landlord was advised that the RSEO could not be lifted at this stage but upon satisfactory production of up to date certification this could be done.

In due course the Landlord produced a clear gas safety certificate and clear Electrical Installation Condition Report for the Property.

The Committee then considered the position. The Committee was satisfied that all items under the RSEO had been carried out and that the appropriate documentation was now in place. The Property had undergone significant improvement and now met the repairing standard. 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. The Committee also resolved to revoke the Rent Relief Order that had been put in place against the Property.

Decision

5. The decision of the Committee was unanimous.

Right of Appeal

6. **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

7. 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.

Signed **E Miller**
Chairperson

..... Date... 20/9/14