



Certificate of completion of work

Issued by the Private Rented Housing Committee

Under section 60 of the Housing (Scotland) Act 2006

prhp Ref: PRHP/RP/14/247

Re: Property at GFR 10 Raeburn Place, Rosemount, Aberdeen, AB25 1PS ("the Property")

Title No: ABN63942

The Parties:-

MR GEOFFREY CHALMERS c/o 32 King Street, Aberdeen, AB24 5AX (represented by his agent Mr Cliff Caie, Lett's & Co. Properties, 32 King Street, Aberdeen) ("the Landlord")

MS SHEILA ANDERSON formerly residing at GFR 10 Raeburn Place, Rosemount, Aberdeen, AB25 1PS ("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 dated 22 April 2015, 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 14 November 2016 before this witness:-

E Miller

Chairman

L Johnston

Witness

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 GFR 10 Raeburn Place, Rosemount, Aberdeen, AB25 1PS ("the Property")

The Parties:-

MS SHEILA ANDERSON formerly residing at GFR 10 Raeburn Place, Rosemount, Aberdeen, AB25 1PS ("the Tenant")

MR GEOFFREY CHALMERS c/o 32 King Street, Aberdeen, AB24 5AX (represented by his agent **Mr Cliff Caie, Lett's & Co. Properties, 32 King Street, Aberdeen**) ("the Landlord")

Decision

The Private 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 inspections 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 22 April 2015, 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 22 April 2015. The RSEO required the Landlord:-
 - (a) to carry out such works as are necessary to identify any sources of water ingress to the Property, particularly to the roof, and to rectify these and make good any damage caused by such ingress.
 - (b) To obtain a timber specialist report over the Property and any related common parts and to carry out any works required by such report.
 - (c) To provide a clear electrical installation condition report over the Property confirming that there are no items categorised as C1 or C2.
 - (d) To provide a clear gas safety certificate over the gas system within the Property.

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

3. A first reinspection of the Property was carried out on 15 September 2015 by Mr Colin Hepburn, the Surveyor Member of the Committee. At that point a clear electrical installation condition report was exhibited as was a clear gas safety certificate. A Timber Specialist Report was also exhibited and whilst this indicated that there was no evidence

of rot within the Property, it did indicate that the wall to the front and party wall was excessively damp and that the walls would require to be stripped and relined. In relation to the exterior water penetration the Landlord's agent indicated that at that stage the local authority was carrying out further investigation of the water ingress. The Committee accepted that the Landlord and his agent were trying to address matters but that there were delays because of the differing ownership of flats within the block. The Committee, at that stage, gave the Landlord a further period of 6 months.

4. On 18 February 2016 a further inspection was carried out by Mr Hepburn. The Landlord's agent advised at that stage that the water ingress issues had now been resolved and that the internal walls to the front and party wall were now beginning to dry out. Random testing suggested that the damp levels were reducing. In any event, the internal walls within the Property, which had been stripped out, still needed to be relined and redecorated. Accordingly the Committee determined to give the Landlord a further extension of 3 months to allow the Property to dry out further in the hope that this would prove that the water ingress issues had been dealt with and allow redecoration.
5. A final inspection was carried out by Mr Hepburn on 9 August 2016. Since the last reinspection on 18 February 2016, internal repairs had been carried out including reframing and lining of the alcove to the lounge. The walls had been redecorated as had the ceiling where this had previously been affected by damp. Slightly elevated damp levels were still noted to plaster finishes around the window ingoe. The Committee noted that this residual dampness was possibly due to rubble build up behind plaster linings or some minor drying out still taking place.
6. The Committee (comprising Mr E K Miller, Chairman and Legal Member and Mr C Hepburn, Surveyor Member) considered the terms of the various reinspection reports. The Committee was satisfied that all matters had now been attended to. It appeared that the external defects which were causing water ingress had been resolved. Moisture levels in the Property had dropped significantly. The damp levels that still existed were at an acceptable level and further drying out would likely occur. Given that the appropriate gas and electrical certifications had also been provided, the Committee was satisfied that compliance with the RSEO had now been achieved. Accordingly the Committee was satisfied that the RSEO should be lifted and a Certificate of Completion discharging the RSEO under Section 60 of the Act would be granted.

Decision

7. The Committee's decision was to lift the RSEO and grant a Certificate of Completion discharging the RSEO.
8. The decision of the Committee was unanimous.

Right of Appeal

9. 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

10. 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.....

16/11/16