



**Certificate of Completion of Work and Revocation of Rent Relief  
Order**

**Issued by the Private Rented Housing Committee  
Under Section 60 of the Housing (Scotland) Act 2006**

**prhp ref: RP/15/0193**

**Re Polfern, Craigdews, New Galloway Road, Newton Stewart, DG8 7BL  
Registered in the Land Register of Scotland under title number KRK1539 ('the  
Property')**

**The Parties:-**

**Mrs Margaret Wood, residing at the Property ("The Tenant")**

**Gauld Properties Limited, 22 Milnpark Street, Glasgow, G41 1 BB (The  
Landlord')**

**NOTICE TO**

**Gauld Properties Limited (SCO74925)**

**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 3<sup>RD</sup> November 2015 as varied by a Notice of Variation dated 13<sup>th</sup> July 2016 has been completed. Accordingly the said Repairing Standard Enforcement order relative to the Property has been discharged and the relevant rent relief order dated 8<sup>th</sup> February 2016 is revoked.

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 are executed by Martin Joseph McAllister, Chairman at Saltcoats on 14<sup>th</sup> July 2016 before Paula Sinclair, 51 Hamilton Street, Saltcoats.

M McAllister

P Sinclair



## **DETERMINATION BY PRIVATE RENTED HOUSING COMMITTEE**

**Statement relative to Certificate of Completion of work issued by  
the Private Rented Housing Committee under section 60 of the  
Housing (Scotland) Act 2006**

**prhp ref: RP/15/0193**

**Re Polfern, Craigdews, New Galloway Road, Newton Stewart, DG8  
7BL Registered in the Land Register of Scotland under Title Number  
KRK1539 ('the Property')**

### **The Parties:-**

**Mrs Margaret Wood, residing at the Property ("the Tenant")**

**Gauld Properties Limited, 22 Milnpark Street, Glasgow, G41 1BB (the  
Landlord')**

### **Background**

1. On 3<sup>rd</sup> November 2015 the Private Rented Housing Committee ('the Committee') issued a Repairing Standard Enforcement Order ('RSEO') in accordance with the Housing (Scotland) Act 2006 (the Act) in respect of the Property. The members of the Committee were Mr Martin McAllister (Chairperson) and Ms Carol Jones (Surveyor Member). The RSEO was in the following terms:-

**(One) The Landlord is to repair or replace the external render where there is exposed brickwork, cracking and bossing.  
(Section 13(1) (b) of the Act).**

**(Two) The Landlord is to replace the kitchen sink and base unit (Section 13 (1) (d) of the Act).**

**(Three) The Landlord is to replace the cold water tank situated in the loft and repair or replace any associated pipework where necessary (Section 13 (1) (c) of the Act).**

**(Four) The Landlord is to repair the living room fire so that it can be used effectively and safely. (Section 13(1) (c) of the Act).**

**(Five) The landlord is to replace the Rayburn Stove with a suitable appliance or appliances to provide space heating to the house and heating of water. Such appliance or appliances require to be used safely and effectively. (Sections 13(1) (c) and 13(1) (d) of the Act).**

**(Six) The Landlord is to install appropriate interlinked heat and smoke alarms to comply with the requirements of the revised Domestic Technical Handbook issued by Scottish Government's Building Standards Division (Technical Handbooks 2013:- Domestic-Fire) (Section 13(1) (f) of the Act).**

**The committee determined that the work requiring to be done in terms of the repairing standard enforcement order must be completed within twenty eight days of service of the repairing standard enforcement**

2. On 7<sup>th</sup> January 2016 the Surveyor Member of the Committee inspected the property and found that works required by the Repairing Standard Enforcement Order had not been completed.
3. On 8<sup>th</sup> February 2016 the Committee made a Rent Relief Order because the Landlord had not complied with the RSEO.
4. On 20<sup>th</sup> June 2016 the Surveyor Member of the Committee inspected the property and found that some of the works required by the Repairing Standard Enforcement Order had been completed. A copy of the relevant Report dated 20<sup>th</sup> June 2016 is attached. The Report discloses that there are two matters which have not been dealt with in accordance with the terms of the RSEO. The sink base unit has been replaced but not the aluminium sink and draining board. The Rayburn stove has not been replaced but has been repaired. The Report discloses that a satisfactory flue test has been carried out and that the Tenant confirmed that smoke is no longer escaping from the flue.
5. The Tenant submitted a written form confirming that work had been done satisfactorily.
6. The Committee had concerns that the Landlord had not complied fully with the RSEO and had made no request to the Committee about a possible Variation of it. It did however consider that the condition of the sink was acceptable. It required to consider the condition of the stove and if it was acceptable to repair it rather than replace it. The position of the Tenant that she was satisfied with the work was persuasive and the Committee considered that it would be appropriate for it to accept a repair of the stove rather than replacement.
7. The Committee then determined to issue a Notice of Variation on terms of Section 25 of the Act and thereafter to issue a Certificate of Compliance with the RSEO in terms of Section 60 of the Act and also to revoke the rent relief order.

### **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.

M McAllister

Signed ...

Chairperson /

.....Date 14<sup>th</sup> July 2016



## **Private Rented Housing Panel (prhp) Re-inspection report**

**Date of inspection:** 20 June 2016

**Reference Number:** PRHP/RP/15/0193

**Property:** Polfern, Craigdews, New Galloway Road, Newton Stewart DG8 7BL

**Surveyor:** Carol L Jones MA MRICS

**Previous Inspection:** The subject property was inspected by a full committee of the Private Rented Housing Panel on 27 October 2015 and as a result a Repairing Standard Enforcement Order was served on 3 November 2016. A re-inspection was carried out by the surveyor member of the committee on 7 January 2016.

**Access:** The tenant was in the property and provided access.

**Weather:** Overcast, intermittent rain.

**In attendance:** The tenant, Mrs Wood attended the inspection.

**Repairing Standard Enforcement Order (RSEO) dated 3 November 2015.**

### **Works required by the RSEO:**

(One) The Landlord is to repair or replace the external render where there is exposed brickwork, cracking and bossing.  
(Section 13(1) (b) of the Act).

(Two) The Landlord is to replace the kitchen sink and base unit (Section 13 (1) (d) of the Act).

(Three) The Landlord is to replace the cold water tank situated in the loft and repair or replace any associated pipework where necessary (Section 13 (1)(c) of the Act).

(Four) The Landlord is to repair the living room fire so that it can be used effectively and safely. (Section 13(1) (c) of the Act).

(Five) The landlord is to replace the Rayburn Stove with a suitable appliance or appliances to provide space heating to the house and heating of water. Such appliance or appliances require to be able to be used safely and effectively. (Sections 13(1) (c) and 13(1) (d) of the Act).

(Six) The Landlord is to install appropriate interlinked heat and smoke alarms to comply with the requirements of the revised Domestic Technical Handbook issued by Scottish Government's Building Standards Division (Technical Handbooks 2013:- Domestic-Fire)  
(Section 13(1) (f) of the Act).

The committee determined that the work requiring to be done in terms of the repairing standard enforcement order must be completed within twenty eight days of service of the repairing standard enforcement order.

**Works in the RSEO undertaken:**

(1) The landlord has had all external elevations of the property and the chimneys re-rendered.



(2) The landlord has replaced the sink base unit in the kitchen (see also below).



(3) The landlord has replaced the cold storage water tank in the loft with two new tanks and altered the associated pipework. The redundant former leaking tank has not been removed.



(4) The landlord has repaired the open fire in the living room. The broken fire bricks have been removed and replaced. A satisfactory flue test has been carried out.



(6) The landlord has installed hardwired and interlinked smoke alarms in the living room and hall and a heat alarm in the kitchen.



**Living Room**



**Hall**



**Kitchen**

**Works in the RSEO Outstanding:**

2) The landlord has not replaced the aluminium sink unit and draining board but re-instated the existing one along with the new base unit.



5) The landlord has not replaced the old Rayburn cooker in the kitchen but has cut out the defective fire bricks, fitted new bricks and re-sealed the interior. The old joint seals have also been removed on the flue and resealed. A satisfactory flue test has been carried out and the tenant confirmed smoke is no longer escaping from the flue.

The tenant informed me this appliance was second hand when it was installed by the Forestry Commission not long before the current landlord purchased this property over 17 years ago.







**All photographs were taken at the re-inspection on 20 June 2016**

**Comments:** This report will be submitted to a full Committee of the Private Rented Housing Panel for their decision

**Carol L Jones MA MRICS  
Surveyor Member PRHP**

**20 June 2016**