



## **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/14/0235**

**Re: Property at 42 Gladstone Place, Woodside, Aberdeen, AB24 2RU ("the Property")**

**Title No: ABN63089**

**The Parties:-**

**MR GRANT WEBSTER formerly residing at 42 Gladstone Place, Woodside, Aberdeen ("the Tenant")**

**MR MARK JONATHAN BERRY and MRS FIONA KEDDIE or BERRY, Spouses residing together at 10 Herd Crescent, Johnshaven, Montrose, Angus ("the Landlords")**

### **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 9 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 5 October 2016 before this witness:-

L. JOHNSTON

E. MILLER

Chairman

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



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

**prhp Ref:** PRHP/RP/14/0235

**Re:** Property at 42 Gladstone Place, Woodside, Aberdeen, AB24 2RU ("the Property")

**The Parties:**

**MR GRANT WEBSTER formerly residing at 42 Gladstone Place, Woodside, Aberdeen ("the Tenant")**

**MR MARK JONATHAN BERRY and MRS FIONA KEDDIE or BERRY, Spouses residing together at 10 Herd Crescent, Johnshaven, Montrose, Angus ("the Landlords")**

**NOTICE TO ("the Landlord")**

Considering that the Private Rented Housing Committee issued a Notice under Section 60 of the Housing (Scotland) Act 2006, dated 7 January 2016, certifying that the work required by the Repairing Standard Enforcement Order relative to the house dated 9 April 2015 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 7 January 2016 with effect from 5 October 2016.

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 5 October 2016, before this witness:-

L. JOHNSTON

E. MILLER

\_\_\_\_ witness

\_\_\_\_ 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/RP/14/0235**

**Re: Property at 42 Gladstone Place, Woodside, Aberdeen, AB24 2RU ("the Property")**

### **The Parties:-**

**MR GRANT WEBSTER formerly residing at 42 Gladstone Place, Woodside, Aberdeen ("the Tenant")**

**MR MARK JONATHAN BERRY and MRS FIONA KEDDIE or BERRY, Spouses residing together at 10 Herd Crescent, Johnshaven, Montrose, Angus ("the Landlords")**

### **Decision**

The Committee, having made such enquiries as it saw fit for the purposes of determining whether the Landlords 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 Landlords had now complied with the terms of the RSEO and resolved to issue a Certificate of Completion in terms of the works required by the RSEO. The Committee also resolved to revoke the Rent Relief Order (RRO) in place

### **Background**

1. By Decision dated 9 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 9 April 2015. The RSEO required the Landlord:-
  - (a) to carry out such works as are necessary to render the Property and, in particular, the rear elevation properly wind and watertight and free from damp penetration and water ingress. The Landlords will require to carry out any redecoration works that are required after such repair/remedial works have been done.
  - (b) To replace any areas of damaged plasterboard within the lounge and bedroom of the Property and to carry out any appropriate redecoration required.
  - (c) Such works of repair or renewal to the kitchen sink/drainage board to ensure that the draining board connects into the plumbing system and that excess water is properly disposed of.

The Property was inspected by the Surveyor Member on 30 July 2015. There was no evidence of any further works having been undertaken to the rear elevation externally since the initial inspection by the Committee. The Landlords failed to comply with the RSEO issued. The decision of the Committee was to grant the Landlords an additional period of 6 weeks from the date of the Decision to comply with the RSEO.

A further inspection was carried out on 7 December 2015. Whilst some works had been done the Landlords had not fully addressed the issues. On 11 January 2016 the Committee imposed an RRO on the Landlords at 30%.

3. In August 2016 the Property was re-inspected by Mr Angus Anderson, the original Surveyor Member of the Committee. The Tenant had left the Property. Mrs Berry of the Landlords gave access.
4. The Surveyor Member noted that the flat was furnished and appeared to be occupied at the time of the inspections. The Landlord, Mrs Berry stated that the Tenant had moved out some time in February 2016 and that the flat is now being used as a pied-a-terre by her.

The Surveyor Member noted the following:

- (a) A further sealant had been applied to the external area adjacent to the door to the upper flat, the stone steps and to the bedroom window frame. The sealant to the areas that the Surveyor inspected appeared to have been applied recently.
  - (b) Repair works have been undertaken to the internal linings on each side of the lounge window had been stripped out again and re-instated. Photographs have been taken to evidence this.
  - (c) There were no outstanding works required to the Property.
5. The Committee (comprising Mr E K Miller, Chairman and Legal Member and Mr A Anderson Surveyor Member) subsequently considered matters. The Committee noted that the Tenant had left the Property. The Committee considered that all areas listed within the RSEO had been addressed by the Landlord and compliance had been achieved. The Committee was satisfied that there was no longer any breach of the repairing standard. The Committee was satisfied that it was appropriate that the RSEO should be lifted and a Certificate of Completion discharging the RSEO under Section 60 of the Act should be granted. The Committee also determined to revoke the RRO

#### **Decision**

6. The Committee's decision was to lift the RSEO and grant a Certificate of Completion discharging the RSEO. The RRO would also be revoked.
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..... 5/12/16  
Chairperson



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



**Date of inspection: 22/08/2016**

**Reference Number: PRHP/RP/14/0235**

**Property: 42 Gladstone Place, Woodside, Aberdeen AB24 2RU**

**Surveyor: Angus Anderson**

**Access: 10.00am**

**Weather: Dry and bright with rainfall in the preceding 48 hours.**

**In attendance: Mrs Fiona Berry, Joint Landlord**

## **Repairing Standard Enforcement Order (RSEO)**

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

- (a) to carry out such works as are necessary to render the Property and, in particular, the rear elevation properly wind and watertight and free from damp penetration and water ingress. The Landlords will require to carry out any redecoration works that are required after such repair/remedial works have been done.
- (b) To replace any areas of damaged plasterboard within the lounge and bedroom of the Property and to carry out any appropriate redecoration required.
- (c) Such works of repair or renewal to the kitchen sink/draining board to ensure that the draining board connects into the plumbing system and that excess water is properly disposed of.

### **Works in the RSEO undertaken:**

- (a) Since the previous inspection on 7th December, 2015 Mrs Berry advised that further sealant had been applied to the external area adjacent to the door to the upper flat, the stone steps and to the bedroom window frame. The sealant to the areas that I inspected looked to have been applied recently.
- (b) Mrs Berry advised that since the previous inspection, repair works had been undertaken to the internal linings on each side of the lounge window had been stripped out again and re-instated. Photographs taken during the works were shown to me and I requested that Mrs Berry formally submits these to the prhp. I tested the accessible internal linings within the lounge and bedroom for dampness with a damp meter, which indicated normal levels of moisture in the areas tested. There were no visible signs of dampness. Photographs of the meter readings are attached in the schedule to this report.
- (c) As at the time of my previous inspection, these areas had been repaired and therefore, this aspect of the RSEO was not re-visited.

### **Outstanding works:**

None.

### **Observations/comment:**

The flat was furnished and appeared to be occupied at the time of this inspection. Mrs Berry stated that Mr Webster, the tenant had moved out some time in February, 2016 and that she was now using the flat as a pied-a-terre whilst her husband was a patient in hospital in Aberdeen.

**Photographs were taken on the day of inspection and are attached.**

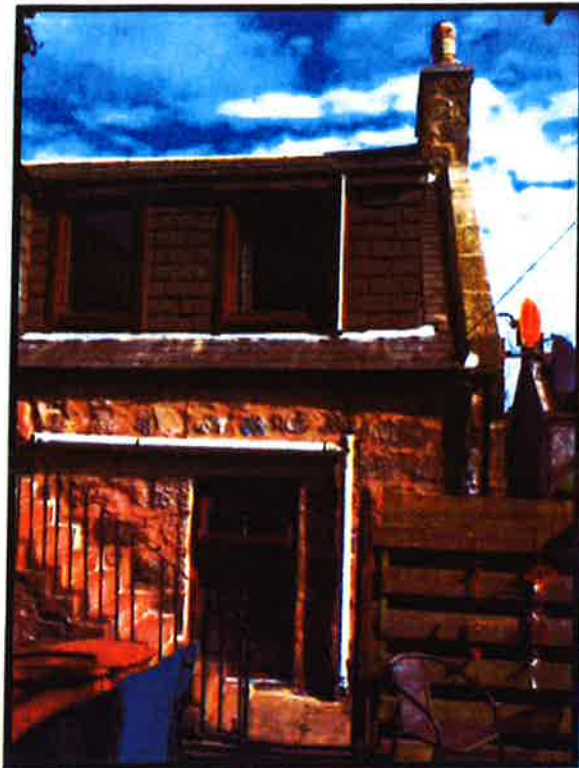
Angus Anderson, MRICS; Date of report: 24/08/2016.



**Schedule of Photographs**  
**42 Gladstone Place, Woodside, Aberdeen AB24 2RU**  
**Case Reference Number PRHP/RP/14/0235**  
**Date: 22/08/2016**



**Figure 1 Front Elevation**



**Figure 2 Rear elevation**



**Figure 3 Door at upper flat**



Figure 4 Lounge overview



Figure 5 Wall left side lounge window



Figure 6 Damp meter reading left side lounge window

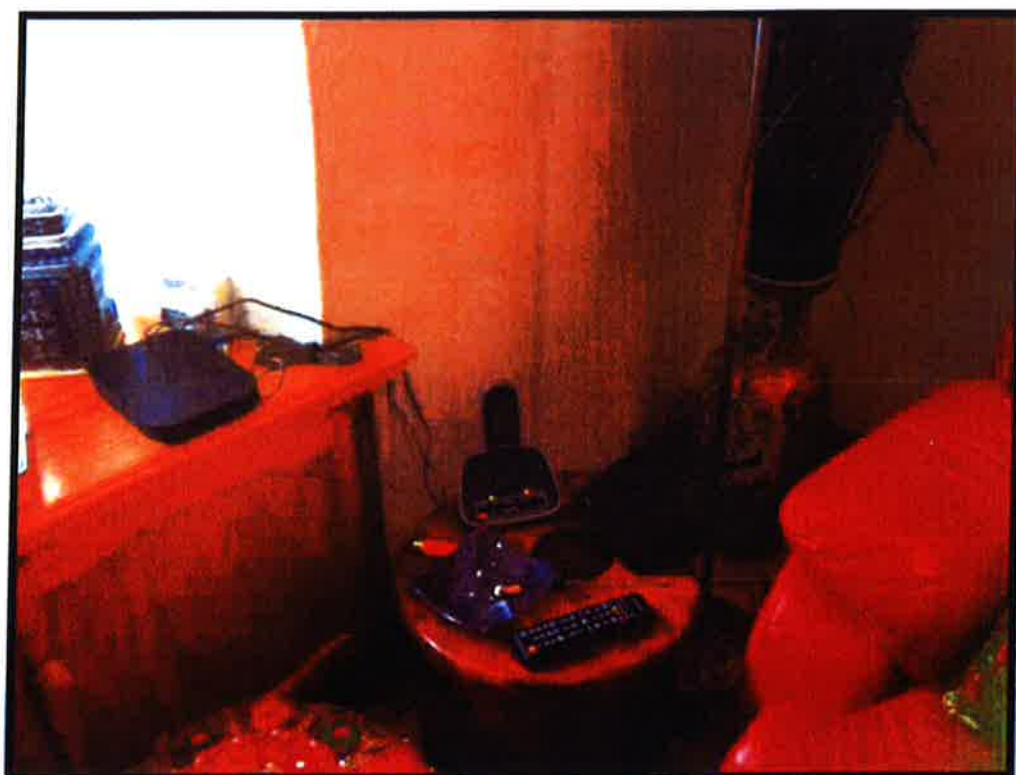


Figure 7 Right hand side lounge window



Figure 8 Damp meter reading right hand side window



Figure 9 Bedroom overview



Figure 10 Damp meter reading left hand side window