



## Certificate of completion of work

Issued by the Private Rented Housing Committee

Under section 60 of the Housing (Scotland) Act 2006

prhp Ref: PRHP/EH30/129/11

Re : Property at 23 William Black Place, South Queensferry, Edinburgh ("the Property")

Title No: WLN5251

The Parties:-

MS JANIE MCWILLIAM residing at 18 Ravelston House Road, Edinburgh ("the Landlord")

MR AND MRS ADRIAN CARBERRY residing at 23 William Black Place, South Queensferry, Edinburgh ("the Tenants")

### 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 7 December 2011 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 23 March 2012 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/EH30/129/11**

**Re : Property at 23 William Black Place, South Queensferry, Edinburgh ("the Property")**

**The Parties:-**

**MR AND MRS ADRIAN CARBERRY residing at 23 William Black Place, South Queensferry, Edinburgh ("the Tenants")**

**MS JANIE MCWILLIAM residing at 18 Ravelston House Road, Edinburgh ("the Landlord")**

**Decision**

The Private Rented Housing Committee, having made such enquiries as was fit 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 of the Property by the Surveyor Member, 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 7 December 2011, 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 7 December 2011. The RSEO required the Landlord:-
  - (a) To carry out such works as are necessary to repair or replace the beading on the right hand vertical frame of the exterior of the patio doors sufficient to render it properly wind and watertight.
  - (b) To provide a periodic inspection certificate from a suitably qualified electrician confirming that all electrical systems have either been rendered redundant or safe and that otherwise the Property complies with the relevant electrical safety regulations.
  - (c) To properly affix the oven within the kitchen of the Property in to its surrounding housing.
  - (d) To repair or replace the shower within the Property to ensure that it is in proper working order.
  - (e) To carry out such works as are necessary to render the front door properly wind and watertight and capable of opening and closing properly.

3. Subsequent to the issuing of the RSEO an extension was granted to the Landlord to allow her a further 4 weeks to complete the works specified in the RSEO.
4. A further reinspection was subsequently carried out on 5 March 2012 at 10am at the Property. The reinspection was carried out by the original Surveyor Member Ms Sara Hesp, accompanied by Mr John Blackwood. The Tenants were present as was the Landlord.

The Surveyor Member subsequently reported to the Committee that the beading on the righthand vertical frame of the exterior of the patio doors had now been replaced. There was no apparent water ingress.

During the course of the reinspection a clear periodic Inspection Certificate was produced by the Landlord. The Surveyor Member noted during the course of the reinspection that the house had been rewired.

The Landlord had been required to properly affix the oven within the kitchen of the Property into its surrounding housing. Although the Landlord stated that works had been carried out to fix this problem, this problem did, during the course the reinspection, appear to still persist. However this was a minor matter within the overall Property and the Tenants stated that they were no longer concerned about it and it was something they could probably fix themselves.

The Surveyor Member noted that the shower had been repaired and was now in proper working order.

The Surveyor Member noted that the front door had now been refitted and adjusted and appeared to be a better fit overall. There was no evidence of water ingress and the Tenants appeared, during the course of the reinspection, to be satisfied with the outcome.

Overall the Surveyor Member noted that the works had been carried out to an appropriate standard with the exception of the affixation of the oven into its housing. There was, however, no debate that the oven was otherwise in working order. The Committee discussed this one outstanding matter and in view of its very minor nature the Committee were satisfied that it was appropriate to discharge the RSEO. The Committee accordingly decided to issue a Certificate of Completion discharging the RSEO under Section 60 of the Act.

#### **Decision**

5. The decision of the Committee was unanimous.

#### **Right of Appeal**

6. **A landlord or Tenants 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  
Chairperson

**E Miller**

.. Date 23.3.12 .....