



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/13/0081

Re : Property at Flat 3/L, 15 Union Place, Dundee DD2 1AA ("the Property")

Land Certificate No: ANG13623

The Parties:-

Peng Ao, sometime residing at Flat 3/L, 15 Union Place, Dundee DD2 1AA ("the Tenant")

Springfield Properties Limited, incorporated under the Companies Acts and having their Registered Office at 2 India Buildings, 86 Bell Street, Dundee ("the Landlord")

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 27 February 2014 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 typewritten on this page are executed by George Barrie Clark, solicitor, Lasswade, chairperson of the Private Rented Housing Committee at Lasswade on 24 September 2015, before this witness Valerie Elizabeth Jane Clark, Droman House, 5 School Brae, Lasswade, Midlothian.

V Clark

G Clark

_____ witness

_____ chairman



Statement of decision of the Private Rented Housing Committee under Section 60 of the Housing (Scotland) Act 2006

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Decision

The Committee, having made such enquiries as it saw fit, determined that it was satisfied that the work required by the Repairing Standard Enforcement Order dated 27 February 2104 in respect of the Property had been completed and that a certificate of Completion to that effect should be issued in terms of Section 60 (5) of the Housing (Scotland) Act 2006.

Background

1. By application dated 26 August 2013, the Tenant applied to the Private Rented Housing Panel for a determination of whether 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 application by the Tenant stated that the Tenant considered that the Landlord had failed to comply with his duty to ensure that the house meets the repairing standard and in particular that the Landlord had failed to ensure that the house is wind and water tight and in all other respects reasonably fit for human habitation.
3. By letter dated 4 October 2013 the President of the Private Rented Housing Panel intimated a decision to refer the application under Section 22 (1) of the Act to a Private Rented Housing Committee.
4. The Private Rented Housing Committee served Notice of Referral under and in terms of Schedule 2, Paragraph 1 of the Act upon both the Landlord and the Tenant.
5. Following service of the Notice of Referral, neither party made written representations to the Committee.
6. The Committee inspected the Property on the morning of 27 February 2014. Neither the Landlord nor the Tenant was present or represented during the inspection. The Committee was admitted to the Property by a contractor on-site. The Committee comprised George Clark (Chair), David Godfrey (Surveyor) and Michael Scott (Housing member)
7. Following the inspection of the Property the Private Rented Housing Committee held a hearing at Douglas Community Centre, Balmoral Avenue, Dundee. Neither the landlord nor the Tenant was present or represented at the hearing.

8. Following the hearing, the Committee made a Repairing Standard Enforcement Order in respect of the Property. The order required the landlord:
 - (a) to instruct a builder to investigate the cause of the dampness in the bedroom of the Property;
 - (b) thereafter to carry out such remedial works as are necessary to make the Property wind and water tight;
 - (c) to instruct a timber specialist to investigate and to treat or, if necessary, replace all rotted timber in the window lining boards and floor of the bedroom of the Property and to make good all damage to the woodwork and paintwork;
 - (d) to exhibit to the Committee the timber specialist's Specification, Estimate and Guarantee in respect of the works carried out; and
 - (e) to instruct a builder to reinstate the ceiling cornice and any damaged plasterwork and to redecorate as necessary.
9. The surveyor member of the Committee reinspected the Property on 30 April 2014. He reported to the Committee that the cause of the dampness in the bedroom appeared to have been attended to. He had been told by the current tenant that the ceiling in the bedroom had been replaced several weeks ago and that there had been no sign of water penetration since then. The surveyor member noted that the ceiling had been partly replastered, the external walls had been replastered and the window lining boards had been replaced. He had not, however, had sight of a timber specialist's specification, estimate and guarantee in respect of the works and the light fitting and cornice had not yet been reinstated. The skirting board along the inside face of the exterior wall did not match the original skirting.
10. The surveyor member of the Committee carried out a second reinspection of the Property on 8 September 2015. He reported to the Committee that the Property was undergoing extensive renovation. He had seen the specialist's specification and estimate, dated 18 February 2014 from Boylan Property Group in respect of the Property and a Certificate of Guarantee in respect of their recommended works dated 28 March 2014. The works carried out included full wet rot treatment of the roof void, as there had been evidence of wet rot affecting the ceiling joists over the windows on the front elevation, and wet rot treatment to the floor timbers within the window areas of the bedroom. The surveyor member was content with the paperwork. As the Property was presently being modernised internally, he was satisfied that the other minor outstanding matters from the Order would be attended to.

Summary of the issues

11. The issues to be determined were whether the landlord had carried out the work required by the Order and whether a Certificate of Completion to that effect should be issued

Reasons for the decision

12. The Committee was satisfied, from the documentation provided to it and from the surveyor member's reinspection reports, that the works required by the Order had been carried out, with the exception of very minor matters that would be attended to during the process of renovation that the Property was presently undergoing, and that, accordingly, a certificate of Completion should be issued.
13. The decision of the Committee was unanimous.

Right of Appeal

14. **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

15. 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.

G Clark

Signed
Chairperson

..... Date 24 September 2015.