



Certificate of completion of work

Issued by the Private Rented Housing Committee

Under section 60 of the Housing (Scotland) Act 2006

PRHP Ref: PRHP/AB45/94,95,96&97/11

Re: Property at 4, 5, 6 and 8 Ladysbridge Cottages, Banff, Aberdeenshire, AB45 2JR ("the Properties")

Title No: Being part and portion of the subjects registered in the Land Register of Scotland for the County of Banff under Title Number BNF2037

Parties: Mr Robert Cruickshank residing at 4 Ladysbridge Cottages, Banff, Aberdeenshire, AB45 2JR;

Mr Rudolph May, residing at 5 Ladysbridge Cottages, Banff, Aberdeenshire, AB45 2JR;

Mr Brian Ritchens, residing at 6 Ladysbridge Cottages, Banff, Aberdeenshire, AB45 2JR; and

Mr Phillip Glover residing at 8 Ladysbridge Cottages, Banff, Aberdeenshire, AB45 2JR;

(collectively "the Tenants") as represented collectively by Choices Care (In Administration), OICES House, Rosebank Park, Kirkton Campus, Livingston, EH54 7AN

Cothrom Housing Limited, 15 Atholl Crescent, Edinburgh, Midlothian, EH3 8HA ("the Landlord")

Camvo 37 Limited, 64 Dalziel Street, Motherwell, North Lanarkshire, Scotland, ML1 1PJ ("the Proprietor")

Grampian Community Care Charitable Trust c/o Castlehill Housing Association, 4 Carden Place, Aberdeen (the "New 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 13 September 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 8 July 2015 before this witness:-

L. Johnston _____ witness

E. Miller

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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Decision

The Private Rented Housing Committee, having made such enquiries as was appropriate for the purposes of determining whether the New Landlord had complied with the Repairing Standard Enforcement Order ("RSEO") in relation to the Properties concerned and taking account of the subsequent inspections by the Committee, determined that the New 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 13 September 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 RSEOs on the Properties also dated 13 September 2011. The RSEOs required the Landlord:-

- (a) to carry out such works as are necessary on the Properties to the downpipes and gutters to prevent them leaking and to clear the said downpipes and gutters of debris out to allow a free flow of water;
 - (b) to carry out such works as are necessary on the Properties to ensure that the roofs are properly wind and water tight by repairing or replacing any slipped or missing slates on the roofs of the Properties;
 - (c) to carry out such works as are necessary to ensure the roofs are properly wind and water tight by repairing or replacing the cement pointing at the ridge line on the Properties;
 - (d) to carry out cement pointing to the skew and gable walls at Cottage 4 to ensure that the Property is properly wind and water tight;
 - (e) to remove all weed growth around the chimney between Cottages 5 and 6 and to carry out any repair works required to ensure no further water penetration. The Landlords will also require to carry out any redecoration works required to the internal rooms adjacent to the chimney of Cottages 5 and 6 as a result of water penetration; and
 - (f) in relation to Cottage 8 to replace the missing fascia board on the rear dormer window sufficient to render the Cottage wind and water tight.
3. The Committee had ordered in the RSEOs that the works specified were to be carried out within 28 days. On 9 November 2011, the Surveyor Member of the Committee carried out a reinspection of the Property. No works had been carried out. Subsequent to this the Committee issued a Rent Relief Order over the Property on 15 December 2011, reducing the rent payable by 60%.
 4. The Committee was aware that there were issues between the Landlord and the Proprietor and that both organisations may have been in financial difficulty. The Tenants' representative was also in financial difficulty. As at the date of this Decision both the original Tenants' representative and the Landlord had been dissolved, although the Proprietor was still in existence. In any event the Properties were subsequently transferred to the New Landlord. In due course the New Landlord became aware of the RSEO and began attending to the works.

In due course a further reinspection was carried out by the original Surveyor Member of the Committee on 11 June 2015. Access was provided by a representative of the New Landlord – Saunders McNaughton. The Tenants also provided access to the Properties. The Tenants were represented by a Mr John Williams. The Surveyor Member of the Committee advised that all of the works in the original RSEO had now been undertaken with one exception. The only outstanding item was in relation to a missing fascia to the dormer window on No.8. The agents for the New Landlord indicated that they had decided, given the poor detailing around the dormer windows to numbers 5, 6 and 8, to strip and renew the flat roofs. This would address the fascia issue. The contractor had been appointed to do the work and it was hoped to be completed shortly.

The Tenants' agents indicated that they were happy with the works done. With the New Landlord taking ownership there had been an improvement in the working relationship with the Landlord's agent and they were satisfied that all matters were in hand.

The Committee considered the position. Whilst there was still one minor piece of work outstanding, the Committee was satisfied that the New Landlord was aware of their

obligations and were actively dealing with the one remaining issue. On that basis the Committee saw no advantage to continuing with the matter and resolved to issue a Certificate of Completion in relation to the works and to revoke the Rent Relief Order.

Decision

- 5. The Committee's decision was to lift the RSEO and grant a Certificate of Completion discharging the RSEO. The Committee also determined to revoke the Rent Relief Order.
- 6. The decision of the Committee was unanimous.

Right of Appeal

- 7. 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

- 8. 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. **E. Miller**
Chairperson

Date..... 8/7/15