



**Certificate of Completion of work**

**Issued by the Private Rented Housing Committee**

**Under section 60 of the Housing (Scotland) Act 2006**

**Re Greystone, Kirkton, Dumfries, DG1 1 ST being the subjects registered in the land Register of Scotland under Title Number DMF17275 ('The Property')**

**The Parties:-**

**Gregory and Heidi Allison residing at Greystone, Kirkton, Dumfries, DG1 1ST ('The Tenants')**

**Euan James Mair and Lucy Joan Mair residing together sometime at at 14 Academy Street, Dumfries and now at Am Bach 40, Schwoich, 6334, Austria ('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 has been completed.

**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.**

Jacqueline Taylor

Signed.....Date 2<sup>nd</sup> March 2015  
Jacqueline Carol Taylor, Chairperson

s. Witness

Keirsten Byrne  
65 High Street  
Irvine  
KA12 0AL



## DETERMINATION BY PRIVATE RENTED HOUSING COMMITTEE

### Statement of Decision of the Private Rented Housing Committee under section 26(1) of the Housing (Scotland) Act 2006

Re Greystone, Kirkton, Dumfries, DG1 1 ST being the subjects registered in the land Register of Scotland under Title Number DMF17275 ('The Property')

The Parties:-

Gregory and Heidi Allison residing formerly at Greystone, Kirkton, Dumfries, DG1 1ST ('The Tenants')

Euan James Mair and Lucy Joan Mair residing together sometime at at 14 Academy Street, Dumfries and now at Am Bach 40, Schwoich, 6334, Austria ('The Landlords')

#### Background

1. On 24<sup>th</sup> April 2014 the Private Rented Housing Committee ('the Committee') issued a Determination which stated that the Landlords had failed to comply with the duties imposed by Section 14 (1)(b) of the Housing (Scotland) Act 2006 ("the Act"). On the same date the Committee issued a Repairing Standard Enforcement Order ('RSEO') in respect of the Property.
2. The RSEO made by the Committee required the Landlords to:-
  - (1) Effect repairs to render the roof and feature window in the kitchen and master bedroom wind and water tight.
  - (2) Repair defective guttering above flat roof at kitchen.
  - (3) Effect repairs to remove water ingress to kitchen floor.
  - (4) Repair or replace faulty electrical sockets and electrical fans in the kitchen and en suite to render them in proper working order and provide a valid PIR certificate.
  - (5) Effect necessary repairs to render the soak away in proper working order.
  - (6) Effect necessary repairs to the kitchen units to render them in proper working order.
  - (7) Effect necessary repairs to the defective TV aerial socket in the kitchen to render it in proper working order.
3. The Private Rented Housing Committee ordered that the works specified in the RSEO were to be carried out and completed by 30<sup>th</sup> August 2014.
4. On 15<sup>th</sup> October 2014 the surveyor member of the Committee attended at the Property for the purpose of ascertaining whether the said repairs required by the RSEO had been completed.

He found that the repairs required at clauses (1), (2) and (7) of the RSEO had been carried out and had been completed.

However the repairs required at clauses (3), (4), (5) and (6) of the RSEO had not been carried out and had not been satisfactorily completed.

5. Subsequently, the Landlords requested that the Committee consent to a porch being installed over the lower area outside the back door of the Property as this would divert water away from the back door area of the Property and the soak away. They requested that the Committee accept the erection of the porch in satisfaction of clauses (3) and (5) of the RSEO. The Committee consented to this variation of the RSEO.
6. On 5<sup>th</sup> February 2015 the surveyor member of the Committee re-inspected the Property to ascertain if the repairs required at clauses (3)(as amended), (4), (5) (as amended) and (6) of the RSEO had been satisfactorily completed.

He found:-

6.1 The porch had been satisfactorily erected over the lower area at the rear of the Property and clauses (3) and (5) (as amended) of the RSEO had been complied with.

6.2 In relation to clause 4 of the RSEO, a satisfactory electrical installation condition report dated 16<sup>th</sup> December 2014 had been submitted to the Committee. At the inspection he ascertained that the electric fans, referred to in clause 4 of the RSEO, were now in proper working order and

6.3 The kitchen units had been satisfactorily repaired and therefore clause (6) of the RSEO had been satisfactorily completed.

#### **Decision and Reasons**

7. The Committee having made such enquiries as is fit for the purposes of determining whether the Landlords have complied with the Repairing Standard Enforcement Order, in relation to the Property concerned, determined that the Landlords have complied with the RSEO.

#### **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.

Signed .....  
Chairperson

Jacqueline Taylor

Date: 2<sup>nd</sup> March 2015



**Notice of a decision to Vary**

**A Repairing Standard Enforcement Order**

**Ordered by the Private Rented Housing Committee**

**Re Greystone, Kirkton, Dumfries, DG1 1 ST being the subjects registered in the land Register of Scotland under Title Number DMF17275 ('The Property')**

**The Parties:-**

**Gregory and Heidi Allison residing formerly at Greystone, Kirkton, Dumfries, DG1 1ST ('The Tenants')**

**Euan James Mair and Lucy Joan Mair residing together sometime at at 14 Academy Street, Dumfries and now at Am Bach 40, Schwoich, 6334, Austria ('The Landlords')**

**NOTICE TO**

**The Landlords**

**Euan James Mair and Lucy Joan Mair residing at Am Bach 40, Schwoich, 6334, Austria**

The Private Rented Housing Committee accepted the Landlords' application to have the **Repairing Standard Enforcement Order** (hereinafter referred to as '**the RSEO**') varied such that clauses (3) and (5) of the RSEO are amended by the insertion of the words: 'by the erection of a porch over the lower area at the rear of the Property' at the end thereof.

Therefore the Committee determined that **the RSEO is VARIED** to the effect that clauses (3) and (5) of **the RSEO** state:

- (3) Effect repairs to remove water ingress to kitchen floor, by the erection of a porch over the lower area at the rear of the Property.
- (5) Effect necessary repairs to render the soak away in proper working order, by the erection of a porch over the lower area at the rear of the Property.

Subsection 25(3) of the Housing (Scotland) Act 2006 does apply in this case.

**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.**

Where such an appeal is made, the effect of the variation is suspended until the appeal is abandoned or finally determined, and where the appeal is abandoned or finally determined by confirming the decision, the variation will be treated as having effect from the day on which the appeal is abandoned or so determined.

Jacqueline Taylor

Signed.....  
Chairperson

..... Date 2<sup>nd</sup> March 2015

.....witness: KEIRSTEN BYRNE, 65, High Street, Irvine