



**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/14/0210

Re : Property at Brackendale, Kingswells, Aberdeen, AB15 8QQ ("the Property")

**Sasine Description: ALL and WHOLE those subjects known as and forming Brackendale, Kingswells by Aberdeen, AB15 8QQ being the subjects described in and disposed by a Disposition by George Richard Simpson Junior, Farmer, to Peter Alexander Simpson and Mary Graham Simpson recorded in the Division of the General Register of Sasines for the County of Aberdeen on 28 June 1978.**

**The Parties:-**

Mrs Catherine Johnston Clark Le Huray residing at Kisumu, Crudie, Turriff, Mr Daniel Breslin, residing at 10 Grange Gardens, Peterhead and Mrs Carol Cran residing at 6 Turnberry Crescent, Bridge of Don, Aberdeen, AB22 8PD and Mr James Cruickshank residing at 22 Belmuir Gardens, Dyce, Aberdeen, AB21 7LS ("the Landlords")

Sarah Pinkerton, formerly residing at Brackendale, Kingswells, Aberdeen, AB15 8QQ ("the Tenant")

**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 5 January 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 2 July 2015 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

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Re : Property at Brackendale, Kingswells, Aberdeen, AB15 8QQ ("the Property")

### The Parties:-

Sarah Pinkerton, formerly residing at Brackendale, Kingswells, Aberdeen, AB15 8QQ ("the Tenant")

Mrs Catherine Johnston Clark Le Huray residing at Kisumu, Crudie, Turriff, Mr Daniel Breslin, 10 Grange Gardens, Peterhead, Mrs Carol Cran residing at 6 Turnberry Crescent, Bridge of Don, Aberdeen, AB22 8PD and Mr James Cruickshank residing at 22 Belmuir Gardens, Dyce, Aberdeen, AB21 7LS ("the Landlords")

### Decision

The Private Rented Housing Committee, having made such enquiries as was appropriate 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 re-inspection of the Property, determined that the Landlords had now complied with the terms of the RSEO and resolved to issue a Certificate of Completion in respect of the work required by the RSEO.

### Background

1. By way of a decision dated 5 January 2015, the Private Rented Housing Committee had issued a determination that the Landlords had failed to comply with the duties imposed Section 14(1)(b) of the Housing (Scotland) Act 2006 ("the Act").
2. The Committee had placed an RSEO the Property also dated 5 January 2015. The RSEO required the Landlord: -
  - (a) To carry out such works of repair or replacement to the garage annexed to the Property to ensure that it is properly wind and water tight, capable of being used properly and generally compliant with the repairing standard.
3. A re-inspection of the property was carried out on 12 May 2015 by Mr Angus Anderson, Surveyor Member of the original Committee. Mrs Catherine Le Huray, one of the Landlords, was present during the inspection.
4. The Surveyor Member of the Committee reported that works had been carried out to the garage as required. The roof structure and covering had been replaced with new material. However, there were still some works outstanding. Tie straps to retain the roof structure were on site but had not been fitted. Externally, the new sections of block work had still to be harled. Internally the wiring was to be re-affixed to the garage structure and made safe.
5. Given the fact that works were still ongoing to the garage the Committee was unable to discharge the RSEO at that point. However, a couple of weeks after the reinspection the Landlords produced photographic evidence which showed that the outstanding items had now been attended to. The Committee considered matters. The Committee was prepared

to accept the photographic evidence provided by the Landlord as it had been apparent that the Landlord was attending to the works in a professional and appropriate fashion. Accordingly, the Committee was satisfied that it was now appropriate to lift the RSEO and grant a Certificate of Completion.

**Decision**

- 6. The Committee's decision was to lift the RSEO and grant a Certificate of Completion discharging the RSEO.
- 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.

Signed ..... **E. Miller** ..... Date..... 2/7/15.....  
Chairpersc..