



**Certificate of completion of work issued by the Private Rented Housing Committee  
under Section 60 of the Housing (Scotland) Act 2006  
Determination by Private Rented Housing Committee**

**Statement of Decision of the Private Rented Housing Committee issued under  
Section 24(1) of the Housing (Scotland) Act 2006**

Ref prhp/rp/15/0013

In respect of an application lodged in terms of Section 22(1) of the Housing (Scotland) Act 2006 by Lorna Robertson and John Priestley residing at The Cairn, Crosshill Street, Airdrie, ML6 9OA against Stephen Broadley and Elaine Broadley, residing sometime at 28 Forge Road, Airdrie having a trading name of SBC Properties and a place of business at Railway Road, Airdrie, ML6 9AB per their then Agent, Crawford Easton, having a place of business at of SBC Properties and a place of business at Railway Road, Airdrie, ML6 9AB

Re: Property: The Cairn, Crosshill Street, Airdrie, ML6 9OA ("the Property") more particularly described in and registered in the Land Register for Scotland under Title Number LAN151891

Committee Members

Karen Moore (Chairperson)

Andrew Taylor (Surveyor Member)

**Certificate of Completion**

Private Rented Housing Committee hereby certifies that the work required by the Repairing Standard Enforcement Order dated 29 April 2015 in respect of the Property has been completed. Accordingly, the said Repairing Standard Enforcement Order has been discharged.

**A landlord or a 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.**

In witness whereof :-these presents typewritten on this page are executed by Karen Moore, Solicitor, Glasgow, Chairperson of the Private Rented Housing Committee at Glasgow on 4 August 2015 before this witness Norman William Moore, Solicitor, Cumbernauld.

W. Moore *Witness*

K. Moore



**Determination by Private Rented Housing Committee**  
**Statement of Decision of the Private Rented Housing Committee issued under**  
**Section 24(1) of the Housing (Scotland) Act 2006**

Ref prhp/rp/15/0013

In respect of an application lodged in terms of Section 22(1) of the Housing (Scotland) Act 2006 by Lorna Robertson and John Priestley residing at The Cairn, Crosshill Street, Airdrie, ML6 9OA ("the Tenants") against Stephen Broadley and Elaine Broadley, residing sometime at 28 Forge Road, Airdrie having a trading name of SBC Properties and a place of business at Railway Road, Airdrie, ML6 9AB ("the Landlords") per their Agent, Crawford Easton, having a place of business at of SBC Properties and a place of business at Railway Road, Airdrie, ML6 9AB ("the Landlords' Agent")

Re: Property: The Cairn, Crosshill Street, Airdrie, ML6 9OA ("the Property") more particularly described in and registered in the Land Register for Scotland under Title Number LAN151891

Committee Members

Karen Moore (Chairperson)

Andrew Taylor (Surveyor Member)

Decision

The Committee determined that the Repairing Standard Enforcement Order made by the Committee and dated 29 April 2015 had been complied with.

Background

1. ~~X~~ On 29 April 2015, the Committee issued a determination that the Landlords had failed to comply with the duty imposed on them by Section 14 (1) (b) of the Act in respect that the Property does not meet the Repairing Standard in respect of Sections 13 (1) (a) of the Act. On the same date, the Committee issued a Repairing Standard Enforcement Order (RSEO).
2. The Repairing Standard Enforcement Order required the Landlords to :-

*(a) within seven calendar days of the date of this Order, instruct and have carried out a certificated electrical condition check (EICR) on (i) the entire electrical installation of the Property, internally and externally, and (ii) the kitchen electrical appliances supplied by the Landlords, by a suitably qualified and registered SELECT or NICEIC electrical contractor, being a registered electricians listed in the Scottish Government's searchable database;*

*(b) within seven calendar days of the date of the EICR, carry out all works as recommended by the EICR to ensure that the electrical installation is safe, functional and in proper working order and, within seven calendar days of the date of the works, confirm in writing to the Committee that the works have been completed;*

*(c) install within the Property a sufficient number of hard wired smoke and heat detectors in compliance with current Building Regulations and the guidance set out in the Domestic Technical Handbook and that within a period of seven calendar days from the date of this Order and, within seven calendar days of the date of the installation, confirm in writing to the Committee that the works have been completed;*

*(d) within seven calendar days of the date of this Order, engage a competent, reputable roofing contractor, being a roofing contractor capable of providing a 30 year guarantee, to carry out a fully documented inspection and report on the roof of the property including dormers, ridges, hips, flashings, gutters and the relationship of the roof with the balcony patio door and, within seven calendar days of the date of the roof report, submit a copy of that report to the Committee;*

*(e) within seven calendar days of the date the roof report, commence the works as recommended by that report to ensure that the roof, dormers and patio door are wind and watertight works as recommended by the Roof Report and within seven calendar days of the date of commencement of the works, confirm in writing to the Committee that the works have commenced;*

*(d) within two calendar months of the date of commencement of the works as specified in paragraph 1(e) above, complete the said works and, within seven calendar days of the date of completion of the works, confirm in writing to the Committee that the works have been completed and*

*(f) within fourteen calendar days of completion of the all of the above mentioned works ensure that all ancillary works are carried out and completed and that all decoration is made good and within seven calendar days of the date of completion of the ancillary works and decoration confirm in writing to the Committee that these works and decoration have been completed.*

3. On 6 July 2015, Mr Broadley of the Landlords contacted the Committee to advise that the Landlords had not received a copy of the Committee's Decision and the RSEO. The Committee, however, were satisfied that the Committee's Decision and the RSEO had been properly notified to the Landlords per their agents.
4. On 14 July 2015, the Surveyor Member re-inspected the Property. The Landlords were present and advised the Surveyor Member that the Landlords' Agents were no longer instructed. The Tenants were not present, having vacated the Property. The Surveyor Member noted that the various works as ordered by the RSEO were in progress and that the Landlords anticipated that the works would be completed within a short timescale.
5. The Committee were satisfied that Landlords were making considerable progress to carry out the works ordered by the RSEO and that it was fair and reasonable to allow the Landlords further time to complete the works.
6. On 3 August 2015, the Surveyor Member carried out a further re-inspection of the Property. Mr Broadley of the Landlords was present. The Surveyor Member noted that the various works as ordered by the RSEO were in progress and that the Landlords anticipated that the works would be completed within a short timescale.
7. The Schedule annexed and executed as relative to this Decision contains (i) photographic evidence of the condition of the Property on the date of the Inspection and both of the Re-inspections and (ii) a narrative in explanation of the photographs.
8. The decision of the Committee is unanimous

#### Right of Appeal

1. The parties' attention is drawn to the terms of Section 64 (4) of the Act regarding their right to appeal and the time limit for doing so. It provides that a landlord or tenant aggrieved by a decision of a private rented housing committee may appeal to the Sheriff within a period of 21 days of being notified of the decision.
2. Where an appeal is made, the effect of the appeal is that the determination of the committee 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

**K. Moore**

Karen Moore, Chairperson

Date 4/8/15

This is the Schedule referred to in  
the foregoing decision in respect of The Cairn,  
Cairn Street, Airdrie ref PRHP/15/13



Kara Moore,  
Solicitor, Glasgow  
4/8/15

## PRHP Re-Inspection Report



1

**Property** – The Cairn, Crosshill Street, Airdrie, ML6 9OA

**Reference**- PRHP/RP/15/0013

**Surveyor** – Andrew Taylor, MRICS

**Previous Inspections** – Full Committee – 15<sup>th</sup> April 2015

**Access** – 1<sup>st</sup> Visit -10.00 am, 14th July 2015. 2<sup>nd</sup> Visit, 8.30am, 3<sup>rd</sup> August 2015

**Weather** – 1<sup>st</sup> Visit Dry, overcast. 2<sup>nd</sup> Visit, Overcast, drizzle.

**In Attendance** – 1st Visit Mr Stephen Broadley and Mrs Elaine Broadley, Landlords. 2<sup>nd</sup> Visit Mr Stephen Broadley, Landlord

**Purpose of Re-inspection** - To establish if the work required under the Repairs Standard Enforcement Order had been completed.

**Note** – The Re-inspection was carried out over two visits. On the first visit the works required by the RSEO were well advanced but not complete. The Committee, by Variation of the RSEO, extended the period to complete.

**RSEO** – In terms of the RSEO issued on 29<sup>th</sup> April 2015 the Landlord was required to carry out such work as was necessary to ensure that the house meets the repairing standard and in particular the following specific areas: -

a) within seven calendar days of the date of this Order, instruct and have carried out a certificated electrical condition check (EICR) on (i) the entire electrical installation of the

Property, internally and externally, and (ii) the kitchen electrical appliances supplied by the Landlords, by a suitably qualified and registered SELECT or NICEIC electrical contractor, being a registered electrician listed in the Scottish Government's searchable database;

(b) within twenty eight calendar days of the date of the EICR, carry out all works as recommended by the EICR to ensure that the electrical installation is safe, functional and in proper working order;

(c) as part of that operation install within the Property a sufficient number of hard wired smoke and heat detectors in compliance with current Building Regulations and the guidance set out in the Domestic Technical Handbook .

(d) within seven calendar days of the date of this Order, engage a competent, reputable roofing contractor, being a roofing contractor capable of providing a 30 year guarantee, to carry out a fully documented inspection and report on the roof of the property including dormers, ridges, hips, flashings, gutters and the relationship of the roof with the balcony patio door;

(e) within twenty eight calendar days of the date the roof report, carry out works as recommended by that report to ensure that the roof, dormers and patio door are wind and watertight and

(f) within fourteen calendar days of completion of the above mentioned works ensure that all ancillary works are carried out and completed and that all decoration is made good.

#### **Works in RSEO Undertaken**

- a) The Landlord has engaged a suitably qualified and registered electrical contractor to carry out an electrical condition check. (EICR)
  
- b) The appointed electrical contractor has carried out all works required to the electrical installation to leave safe and in proper working order.
  
- c) Hard-wired, linked smoke and heat detectors have been supplied and fitted in compliance with current regulations and guidance.
  
- d) The Landlord has engaged a competent and reputable roofing contractor to inspect and advise on repairs to the roof of the property including dormers, ridges, hips, flashings, gutters and the relationship of the roof with the balcony patio door. The property is now wind and watertight.

- e) Based on the roofing specialists report extensive works have been carried out including, replacement of tiles, replacement and pointing of ridges and hips, work to flashings and a comprehensive rebuilding of the balcony doors and patio. Due to the repair nature of this work a thirty-year guarantee is unavailable, however, in these repair circumstances does not seem appropriate.
  
- f) All ancillary works including plaster repairs to ceilings have been completed and decoration has been made good.

### **Works In RSEO Outstanding**

Nil

### **Attachments**

The following supporting documentation, provided by the landlord, is attached to this report.

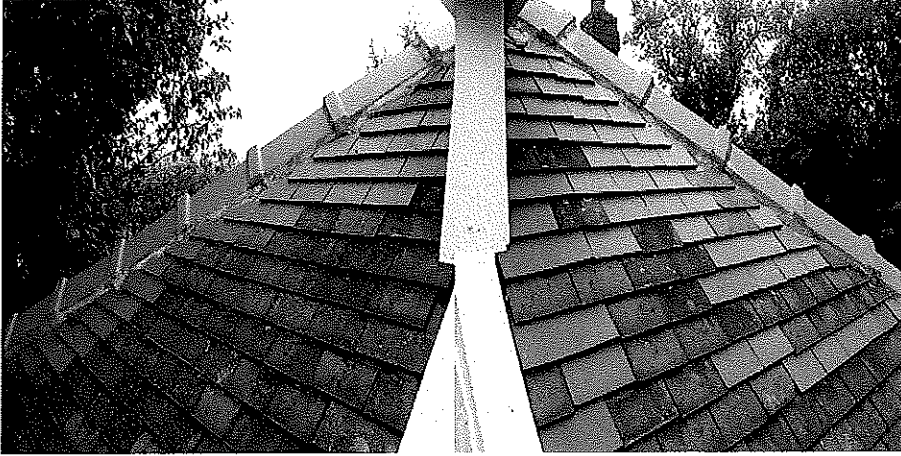
- a) Invoice from TRES Ltd for Electrical Works
- b) Invoice from Roof Trades Ltd – for roofing/patio works
- c) Electrical Installation Condition Report

### **Photographs**



Roof 15<sup>th</sup> April 2015





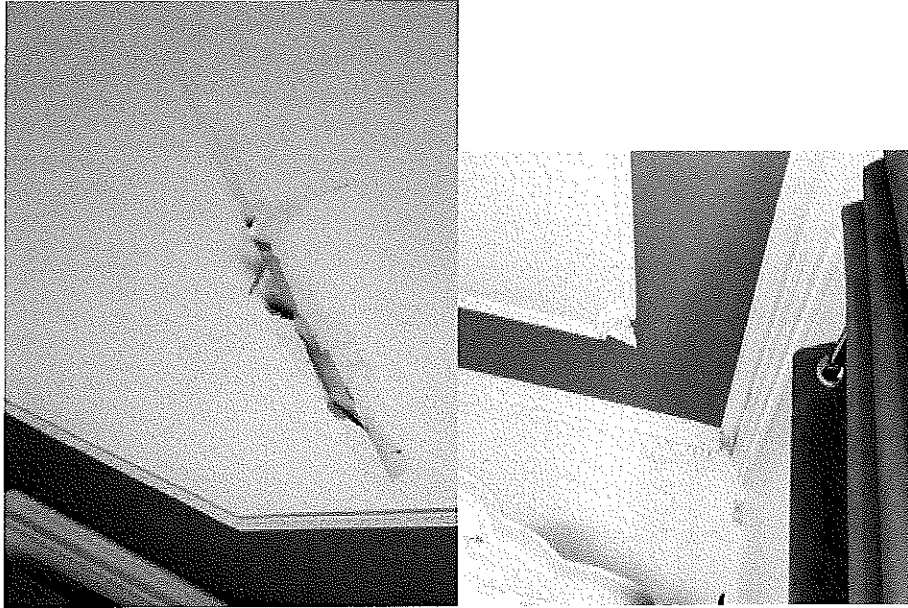
Roof Repairs 14<sup>th</sup> July 2015



Patio Door 15<sup>th</sup> April 2015



Patio Door Repairs 14<sup>th</sup> July 2015



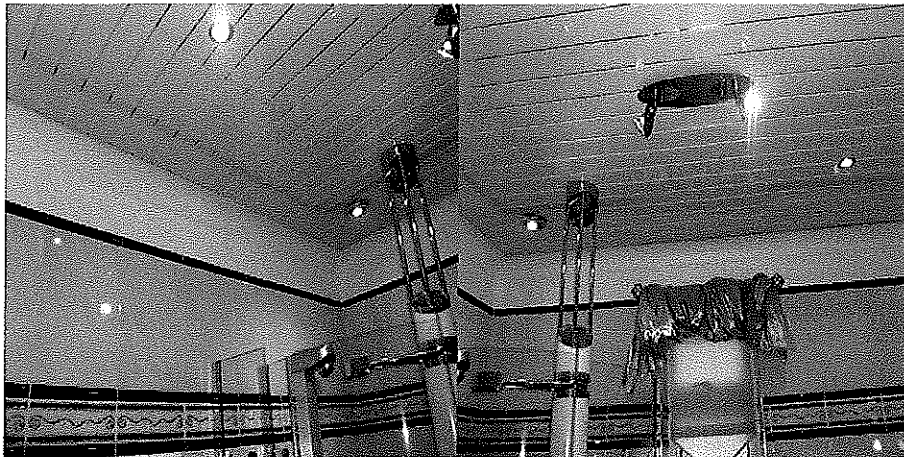
Living Room Ceiling 15<sup>th</sup> April 2015



Living Room Ceiling 3<sup>rd</sup> August 2015



Bathroom Ceiling 15<sup>th</sup> April 2015



Bathroom Ceiling 3<sup>rd</sup> August 2015



Fire Detection Equipment 14<sup>th</sup> July 2015

**Andrew Taylor MRICS**

**Surveyor Member, PRHP**

**4<sup>th</sup> August 2015 2015**

