



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/15/0020

Re: Property at 21 North Street, Fraserburgh, AB43 9DJ ("the Property")

Title Number: ABN58719

The Parties:-

Mrs Elzbieta Kwiatkowska formerly residing at North Street, Fraserburgh, AB43 9DJ ("the Tenant")

Mr Kolawole Ajayi-Majebi and Mrs Charlotte Taiwo Ajayi-Majebi residing at 6 Durban Gardens, Dagenham, Essex, RM10 9XU (represented by their agent Mr Louis Forbes of Forbes Property Management, 68 Broad Street, Fraserburgh, Aberdeenshire, AB43 9AS) ("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 dated 28 September 2015 as subsequently varied and extended 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 1 February 2016 before this witness:-

E K Miller

Chairman

Claire Robertson

Claire Robertson
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 Committee, having made such enquiries as it saw fit for the purposes of determining whether the Landlord has complied with the Repairing Standard Enforcement Order ("RSEO") in relation to the Property concerned and taking account of the subsequent inspection by the Committee determined that the 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 28 September 2015, 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 an RSEO on the Property also dated 28 September 2015. The RSEO required the Landlord:-
 - (a) To carry out such works as are required to render the Property properly wind and water tight and free from water penetration and to make good any damage caused to the interior of the property caused by such damp penetration.
 - (b) To install a proper means of mechanical ventilation from the bathroom at the Property to the exterior.
 - (c) To carry out such works of repair or replacement as are necessary to the windows and glazing within the Property to ensure they are all in proper working order, capable of opening and closing property and otherwise meet the repairing standard.
 - (d) To provide a current gas safety certificate confirming that the gas system, boiler and radiators within the Property are all in proper working order and meet the repairing standard.

The RSEO required the Landlord to carry out the works within a period of 2 months from the date of service of the RSEO.

3. The Committee, (comprising Mr E K Miller, Chairman and Legal Member, Mr A Anderson, Surveyor Member and Mrs L Robertson, Housing Member) carried out a re-inspection of the Property on 22 January 2016. Mr Forbes of the Landlords' agents was present and provided access. The original Tenants had vacated prior to the original inspection. New Tenants were in the Property and provided access.

4. The Committee first inspected the windows and glazing throughout the Property. The broken panes of glass had been replaced as appropriate. Generally the windows now met the repairing standard and were capable of opening and closing properly. Various catches and handles had been replaced where appropriate. There were two opening windows at the far end of the small lean-to utility room that were still not operating correctly, the Committee was of the view that this was a de minimis issue and given the nature of the lean-to utility was not sufficient to cause any concern.

The Committee noted that a fan had been installed in the bathroom that vented to the exterior of the Property and that this was satisfactory.

The new tenant provided a gas safety certificate during the inspection in satisfactory terms. It was apparent from the inspection that the heating system was in proper working order on the day.

Lastly, the Committee inspected the two upstairs bedrooms where damp had previously been traced. The Committee noted that the Landlords' agent stated that repairs had been carried out to the roof in terms of replacement of slates. In the second bedroom, plasterboard had been stripped out and replaced. In this bedroom the damp penetration was significantly less. There was one very small area right at the junction of the window and left ingo but this was a very small area and could well be attributable to the plaster continuing to dry out. Given the excessive rainfall in recent months the Committee was satisfied that this was a very minor point of damp and within acceptable tolerances. Accordingly the Committee was satisfied that that issue was now resolved. In the other bedroom the damp readings had receded significantly as well. There were still a couple of very small spot patches of damp but again the Committee was satisfied that this was within an acceptable standard and that overall the Property was dry and free from water ingress. The Landlord's agent had provided to the Committee various invoices from tradesmen in respect of works carried out.

The Committee considered matters and considered that all the key areas had been addressed. There were one or two minor wants of repair but these were at a level that meant there was no breach of the repairing standard. The Committee was satisfied that it was appropriate that the RSEO should be lifted and a Certificate of Completion discharging the RSEO under Section 60 of the Act would be granted.

Decision

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

E K Miller

Signed Date 8/2/16
Chairperson