



## PRIVATE RENTED HOUSING COMMITTEE

### CERTIFICATE OF COMPLIANCE AND REASONS OF THE PRIVATE RENTED HOUSING COMMITTEE UNDER RULE 26 OF THE PRIVATE RENTED HOUSING PANEL (APPLICATIONS AND DETERMINATIONS) (SCOTLAND) REGULATIONS 2007

In connection with

#### PROPERTY:

Reference number: – RP/15/0126

Property: 265 Crofthill Road, Croftfoot Glasgow, G44 5NW, registered in the Land Register for Scotland under title number GLA157237

The Parties: –

**Ms Samantha Williamson**, residing at the property (The Tenant)

**Mr Raymond Mail**, per 1 Stop Properties Ltd, 491 Duke Street, Glasgow G31 1DL (The Landlord)

#### DETERMINATION

The Committee, having made such enquiries as are necessary to enable it to determine whether the Landlord has complied with the duty imposed by Section 14 (1)(b) of the Housing (Scotland) Act 2006 (hereinafter referred to as “the Act”) in relation to the Property determined that the Landlord has complied with that duty.

Committee Members: David M Preston (Chairman); and Robert Buchan (Surveyor member).

#### BACKGROUND AND REASONS

1. An application dated 13 April 2015 was made to the Private Rented Housing Panel (“PRHP”) by the tenant for a determination of whether the Landlord had failed to comply with the duties imposed by section 14 (1) (b) of the Act.
2. The application alleged that the landlord had failed to ensure that the property met the repairing standard as defined in section 13 of the Act in respect that:
  - a. The house is wind and watertight and in all other respects reasonably fit for human habitation;
  - b. The structure and exterior of the house (including drains, gutters and

external pipes) are in a reasonable state of repair and in proper working order; and

- c. Any fittings, fixtures and appliances provided by the landlord under the tenancy are in a reasonable state of repair and in proper working order.
3. Within the application the Tenant alleged that the property had suffered from dampness and water flooding for over a year at the time of the application. She alleged that: roof repairs were urgently required; dampness was spreading throughout the property; windows had no vents resulting in mould; the letter box cover was missing, resulting in draft continually coming into the property. The tenant advised that she had a four month old baby at the time of the application.
  4. Following on email correspondence with the landlord's agents, in which they advised that the necessary work to address the issues raised was being attended to, the tenant advised by email dated 29 November 2015 that she wished to withdraw the application as the work had been completed
  5. On 9 December 2015 the Committee issued a Minute of Continuation intimating its intention to continue to make a determination of the application and to proceed with the inspection and hearing as scheduled.
  6. On 16 December 2015 the Committee attended at the property. The Landlord's agents were present along with the tenant throughout the inspection. The property comprised an upper floor flat with own door access in a two-storey block of 4 flats built around 1935 of traditional cavity brick construction under a pitched and tiled roof.
  7. The Committee noted that the signs of dampness and mould which had been complained of had been removed and the affected areas had been re-decorated. New extractor fans had been fitted: in the bathroom with appropriate over-run; and in the kitchen with an external vent. A cover had been fitted to the letterbox. Externally, the chimney had been removed and new tiles and vent had been fitted.
  8. It was reported to the Committee and confirmed by the tenant that new insulation had been fitted in the loft and that cavity wall insulation had been installed in conjunction with the downstairs flat.
  9. The tenant advised that following on the installation of the insulation and the new fans in the bathroom and kitchen, the problems with condensation had been resolved and she accepted that the windows did not require vents.
  10. The tenant also advised that, although not a part of the application, a smoke detector and heat detector had been installed and it was noted that there was also a carbon monoxide detector.
  11. The Committee was satisfied at the inspection that all issues raised in the application had been satisfactorily attended to and the damage caused by the carrying out of the work had been made good.
  12. The Committee was therefore satisfied that the property met the repairing standard in respect of the matters complained of by the tenant.
  13. Photographs were taken during the inspection and are attached as a schedule to this statement

The decision of the Committee was unanimous.

### **Right of Appeal**

**A landlord or tenant has the right to appeal this decision to the Sheriff by summary application within 21 days of being notified of that decision.**

### **Effect of section 63**

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.

21-Dec-15

D. PRESTON

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CHAIRMAN

Signed by: DAVID MICHAEL PRESTON

Schedule of photographs taken during the inspection of  
265 Crofthill Road, Croftfoot, Glasgow, G44 5NW  
by Robert Buchan, FRICS, surveyor member of the  
Private Rented Housing Committee on the 16<sup>th</sup> December 2015



First Floor Flat Front

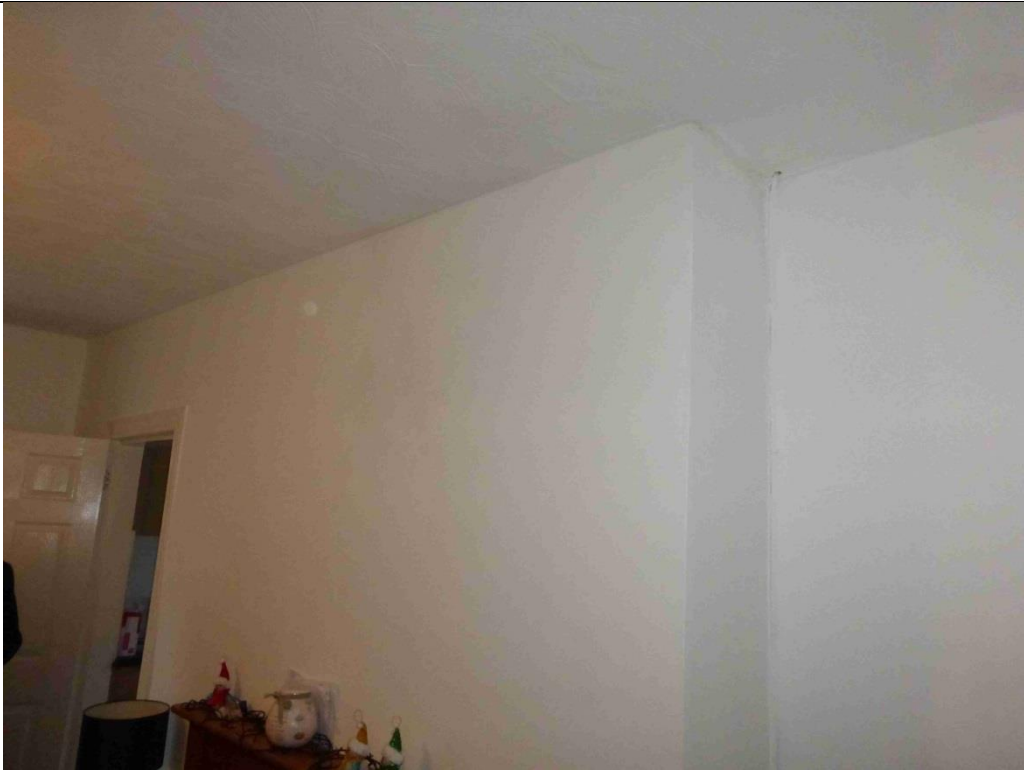


Kitchen



Repaired ceiling in the kitchen

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Repaired ceiling in the living-room



Repaired ceiling in the bathroom