



**Certificate of Completion of Work
Issued by the Private Rented Housing Committee
under Section 60 (5) (b) of the Housing (Scotland) Act 2006
and Revocation of Rent Relief Order under Section 27 (4) (b) of the
Housing (Scotland) Act 2006**

prhp/rp/15/0202

**Re 1 Kirkstone, Kirkvale Court, Glasgow, G77 5HG being the subjects
registered in the Land Register of Scotland under title number REN44139 ('the
Property')**

The Parties:-

Ms Katy McColl residing at the Property ("The Tenant")

**Mr Philip Firestone residing at 7 The Toll, Busby Road, Clarkston, Glasgow
G76 7BG ('The Landlord')**

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 19TH October 2015 has been completed. Accordingly the said Repairing Standard Enforcement order relative to the Property has been discharged and the rent relief order has been revoked.

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 are executed by Martin Joseph McAllister, Chairman at Saltcoats on 16th May 2016 before Paula Sinclair, 51 Hamilton Street, Saltcoats.

M.MCALLISTER

P. SINCLAIR

Chairman

Witness



DETERMINATION BY PRIVATE RENTED HOUSING COMMITTEE

Statement relative to Certificate of Completion of work issued by the Private Rented Housing Committee under section 60 of the Housing (Scotland) Act 2006 prhp/rp/15/0202

Re 1 Kirkstone, Kirkvale Court, Glasgow, G77 5HG being the subjects registered in the Land Register of Scotland under title number REN44139 ('the Property')

The Parties:-

Ms Katy McColl residing at the Property ("The Tenant")

Mr Philip Firestone residing at 7 The Toll, Busby Road, Clarkston, Glasgow G76 7BG ('The Landlord')

Background

1. On 19th October 2016 the Private Rented Housing Committee ('the Committee') issued a Repairing Standard Enforcement Order ('RSEO') in respect of the Property. The members of the Committee were Mr Martin McAllister (Chairperson) and Ms Susan Napier (Surveyor Member). The RSEO was in the following terms:-

(a) The Landlord is to eradicate water ingress in the principal bedroom (Section 13(1) (a) of the Act).

(b) The Landlord is to install sufficient mechanical extraction in the bathroom to eradicate the formation of mould on the walls. (Section 13 (1) (b) of the Act).

(c) The Landlord is to replace or repair the W.C. so that it operates effectively in removal of solid matter. (Section 13(1) (c) of the Act).

(d) The Landlord is to provide a space heating system that works efficiently and does not have excessive noise when being operated. The Landlord requires to provide to the Private Rented Housing Panel Committee a report from a suitably qualified engineer confirming that the space heating system works efficiently and without excessive noise. (Section 13(1) (c) of the Act).

The Private Rented Housing Committee required that the works be completed by 7th December 2015.

2. On 17th December 2015 a Surveyor Member of the Private Rented Housing Panel inspected the property and found that works required by the Repairing Standard Enforcement Order had not been completed.
3. On 18th March 2016 the Surveyor Member of the Committee inspected the Property and confirmed that the works required by the RSEO had been completed and recommended discharge of the RSEO subject to the production of a satisfactory Electrical Condition Report.
4. The landlord and tenant agreed with the findings of the surveyor member subject to the tenant raising one point regarding the window repair but she did indicate that there was no water ingress.
5. The Landlord made further representations to the Committee on 12th May with regard to the production of an Electrical Condition Report. He advised that he is selling the property, the tenancy is coming to an end in June and the sale is in the hands of his solicitors. He indicated that he had dealt with everything in the RSEO and requested that, in all the circumstances, the Committee discharge the RSEO.
6. Thereafter the Committee considered whether or not it was appropriate to find that that the works required by the RSEO had been completed and the appropriate Certificate of Completion in terms of Section 60 Housing (Scotland) Act 2006 should be issued. It agreed that, in all the circumstances, it should do so.

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.

M. MCALLISTER

Signed ...
Chairperson

.Date 16th May 2016



**Private Rented Housing Panel (PRHP)
Reinspection report**



Date of Reinspection: 14 March 2016 at 3pm

Reference Number: RP/15/0202

Property: 1 Kirkstone, Kirkvale Court, Newton Mearns G77 5HG

Access: Yes to all appropriate areas of the building

In attendance:

PRHP - Susan Napier (Surveyor)

Tenant – Katie McColl

Absent:

Landlord – Philip Firestone

1.0 Summary

This property was inspected on 14 March 2016 by Susan Napier, PRHP Surveyor Member. The tenant Ms Katie McColl was in attendance.

At the time of the inspection the property was occupied by Ms McColl and her two children.

The weather was dull and dry, with light wind.

2.0 Property Description

The flat is situated in a three storey block of flats built in 1960s as part of a larger residential development. The flat is located on the ground floor at the south end of the southmost block.

The property is in reasonable condition externally and internally. It consists of a Hall, Living Room, Kitchen, Dining room (used as a third bedroom), two Bedrooms, Bathroom with WC, and store cupboards. Access is from a common entrance and stair, and there are shared gardens.

Photographs taken on 2 October 2015 and 14 March 2016 are attached in Appendix 1.

3.0 Repairing Standard Enforcement Notice

The following works were required by the PRHP in the RSEO Issued on 26 October 2015.

- 3.1 The Landlord is to eradicate water ingress in the principal bedroom.
- 3.2 The Landlord is to install sufficient mechanical extraction in the bathroom to eradicate the formation of mould on the walls.
- 3.3 The Landlord is to replace or repair the WC so that it operates effectively in removal of solid matter.
- 3.4 The Landlord is to provide a space heating system that works efficiently and does not have excessive noise when being operated. The Landlord requires to provide to the PRHP Committee a report from a suitably qualified engineer confirming that the space heating system works efficiently and without excessive noise.

4.0 Reinspection

At the reinspection visit on 14 March 2016 the following was found:

- 4.1 Work has been carried out to the external wall and seal above the bedroom window on the external elevation. This has assisted in stopping the water ingress which appear to result at times of wet and windy weather. The tenant was reasonably satisfied with the repair, and the internal walls around the window had dried considerably. However the tenant did advise that there had still been some water ingress, and it is recommended that this area be monitored to ensure that the repair is sufficient.
- 4.2 A mechanical extract ventilation fan has been installed on the external wall of the bathroom adjacent to the window. There was no sign of any dampness or mould in the bathroom, and therefore this problem appears to have been resolved. The tenant confirmed that she was satisfied with the ventilation, and had removed most of the mould. She would continue to clean the grout and bath sealant.
- 4.3 The WC had been repaired and it was observed that it was now flushing correctly. The tenant was satisfied with the repair.
- 4.4 A new boiler had been installed and all radiators had been fitted with thermostatic radiator valves. The tenant confirmed that the heating system was working satisfactorily and that there was no noise from the system. She also advised that she no longer needed any additional portable heaters in the flat. A Carbon Monoxide detector had been installed.
- 4.5 A Gas Safety Certificate has been provided by the Landlord. This is dated 15 January 2016 and appears satisfactory, with the exception that there is no equipotential bonding at the meter. A registered electrician should provide a condition report to check that this is in line with the appropriate standard.

5.0 Other matters

It was noted that the smoke detector system has not been updated and therefore does not comply with current guidance. We understand that the Landlord plans to sell the property, but if he were to decide to relet the flat then the smoke detection system should be updated to current standards.

6.0 Recommendations

It is recommended that the landlord should -

- a) monitor the repair above the bedroom window to ensure that it is sufficient.
- b) obtain a registered electrician's Electrical Installation Condition Report. On receipt of a satisfactory report I would recommend discharge of the RSEO.
- c) if the landlord decides to relet rather than sell the flat then he should update the smoke detection system.

Susan Napier BSocSc, FRICS
Surveyor Member PRHP
18 March 2016

Appendix 1 - Photographs of 1 Kirkstone, Kirkvale Court, Newton Mearns G77 5HG

**2 October 2015
Bedroom window**

Shown signs of water ingress on underside of lintel and on wall to side of window. Decoration had been damaged by dampness



14 March 2016

Internal walls now dry, although still stained.



Bedroom window externally – this showed previous repairs to render above window. A projecting 'tray' had been installed above the window – this detail did not occur on any other windows in the development.



The joint above between the tray and wall above the bedroom window has been sealed.



Bathroom walls

Bathroom window was only means of ventilation, but cannot be secured in open position. Mould evident on bathroom tile grout.



Mechanical ventilation fan has now been installed. No mould evident.



Toilet/WC

Modern close coupled WC system.



WC now flushing correctly



Boiler and heating system

New boiler fitted.



New boiler fitted, Thermostatic Radiator valves & CO Detector



Smoke & heat detection sensors

Photographs showed battery operated smoke detectors fitted.



No work has been carried out to smoke detection system



Susan Napier BSocSc FRICS
Date of Inspection 14 March 2016