



**Certificate of completion of work**

**Issued by the Private Rented Housing Committee**

**Under section 60 of the Housing (Scotland) Act 2006**

**Case Reference Number: PRHP/RP/15/0328**

**Re: 43 Lilac Avenue, Clydebank G81 4NX ("the property")**

**Land Register Title No: DMB37034**

**The Parties:-**

**Miss Amber Bailey and Mr Kenneth Hopkirk, formerly residing at the property ("the tenants")**

**Miss Sandra Findlay, 5 Ladeside Terrace, Shiskine, Isle of Arran KA27 8EE ("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 issued by the committee on 3 March 2016 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 printed on this and the following page are executed by Sarah O'Neill, solicitor, chairperson of the Private Rented Housing Committee, at Glasgow on the fifth day of July 2016 before this witness:

M Morton

S O'Neill

\_\_\_\_\_ witness \_\_\_\_\_

\_\_\_\_\_ chairperson



## **Determination of the 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**

**Case Reference Number: PRHP/RP/15/0328**

**Re: 43 Lilac Avenue, Clydebank G81 4NX ("the property")**

**Land Register Title No: DMB37034**

**The Parties:-**

**Miss Amber Bailey and Mr Kenneth Hopkirk, formerly residing at the property ("the tenants")**

**Miss Sandra Findlay, 5 Ladeside Terrace, Shiskine, Isle of Arran KA27 8EE ("the landlord")**

**The committee: – Sarah O'Neill (Chairperson); Carol Jones (Surveyor Member)**

### **Background**

1. The Private Rented Housing Committee ('the committee') issued a Repairing Standard Enforcement Order (RSEO) in respect of the property on 3 March 2016.
2. The RSEO required the landlord to:
  1. Carry out the works recommended in the dampness survey report by Peter Cox Limited dated 30 December 2015, namely installing extractor fans in the kitchen and bathroom of the property.
  2. Commission a suitably qualified building contractor to identify any external drainage issues and any conditions which may be causing damp in the

property in relation to the front garden and in particular the paved path under the front bedroom window.

3. Carry out any remedial works recommended by that contractor, in order to ensure that 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.
4. On completion of all the above works, ensure that all affected finishes and decoration are restored to an acceptable standard.

The committee ordered that the works specified in the RSEO must be carried out and completed within two months from the date of service of the RSEO.

3. The surveyor member of the committee carried out a re-inspection of the property on 15 June 2016. The surveyor member's re-inspection report, including photographs which were taken during the inspection, is attached as a schedule to this statement.
4. She found as follows:
  1. the landlord has installed extractor fans in the bathroom and above the front door in the entrance hall and all internal finishes and décor have been restored to a good condition.
  2. The landlord has not instructed a building contractor to identify any external drainage issues and any conditions which may be causing damp in the property in relation to the front garden and in particular the paved path under the front bedroom window. Damp meter readings were taken in the two bedrooms, which showed medium (amber) readings along the base of the external front wall and the hip end of the property, but there were no visible signs of damp or condensation in either room, and the décor is in good condition. The letting agent said the landlord had indicated that she would instruct a family member who is a building contractor to investigate any issues, but this has not been done yet.
  3. As no building contractor has been appointed, no recommendations have been made in relation to any required works and no works have been carried out in relation to the paved path under the front bedroom window.
5. With regard to item 1 of the RSEO, the committee notes that, while no extractor fan has been installed in the kitchen, there is a cooker hood with fan in the kitchen, and an extractor fan has been installed in the hall instead.

6. With regard to items 2 and 3 of the RSEO, an email was received from the landlord's agent on 16 June, attaching a report of the same date from a building contractor, Clyde Contracts Ltd. This report stated that as at that date, damp meter readings taken were much lower than at a previous inspection of the property, and that these damp readings were at similar levels to other properties in the area with residents present. It also stated that the front air bricks were not an issue, as these were clear of debris and both vents were allowing air to pass freely below the floors. It also stated that the external path which is across the bottom of the air vents is not an issue, as it is mono-block bricks, which are designed to allow moisture to pass through and no puddles or standing water were evident in these areas, while it was raining.
7. The committee, while not entirely in agreement with the comments in the report from Clyde Contracts Ltd regarding the position of the air bricks and lack of ground clearance, determined, following its re-inspection, and having considered all other aspects of the said report, that the works required by the RSEO have been completed and that the appropriate Certificate of Completion in terms of section 60 of the Housing (Scotland) Act 2006 should be issued.

### **Right of Appeal**

8. A landlord or tenant aggrieved by the decision of the committee may appeal to the sheriff by summary application within 21 days of being notified of that decision.
9. The appropriate respondent in such appeal proceedings is the other party to the proceedings and not the panel or the committee which made the decision.

### **Effects of Section 63**

10. Where such an appeal is made, the effect of the decision and of any Order made in consequence of it is suspended until the appeal is abandoned or finally determined. Where the appeal is abandoned or finally determined by confirming the decision, the decision and the Order made in consequence of it are to be treated as having effect from the day on which the appeal is abandoned or so determined.

S O'Neill

**Signed..**  
**Chairperson**

**Date**.....5/7/16.....



**Private Rented Housing Panel (prhp)  
Re-inspection report**



**Date of inspection:** Wednesday 15 June 2016

**Reference Number:** PRHP/RP/15/0328

**Property:** 43 Lilac Avenue, Clydebank G814NX

**Surveyor:** Carol L Jones MA MRICS

**Previous Inspection:** The subject property was inspected by a full committee of the Private Rented Housing Panel on 15 February 2016 and as a result a Repairing Standard Enforcement Order was served on 3 March 2016.

**Access:** The new tenant Pauline Mitchell provided access.

**Weather:** Overcast and light rain.

**In attendance:** The owner of the landlord's letting agents Mr Thomas Sheridan of Clydebank Estate Agents attended the inspection.

**Works in the RSEO Outstanding:**

2. The landlord has not instructed a building contractor to identify any external drainage issues and any conditions which may be causing damp in the property in relation to the front garden and in particular the paved path under the front bedroom window. Damp meter readings were taken in the two bedrooms, they showed medium (amber) readings along the base of the external front wall and the hip end of the property but there were no visible signs of damp or condensation in either room and the decor is in good condition. Mr Sheridan said the landlord had indicated that she would instruct a family member who is a building contractor to investigate any issues but this has not been done yet.
3. As no building contractor has been appointed, no recommendations have been made in relation to any required works and no works have been carried out in relation to the drainage or paved path under the front bedroom window.



**All photographs were taken at the re-inspection on 15 June 2016.**

**Comments:** This report will be submitted to a full Committee of the Private Rented Housing Panel for their decision

**Carol L Jones MA MRICS  
Surveyor Member PRHP**

**16 June 2016**