



## CERTIFICATE OF COMPLETION OF WORK

Issued by the Private Rented Housing Committee

Under Section 60 of The Housing (Scotland) Act 2006

**PRHP Reference: PRHP/G72/158/11**

Property at 210 Station Road, Blantyre, Glasgow, G72 9BT ("the property")

The Parties:-

Claire Thomson, formerly residing at 210 Station Road, Blantyre, Glasgow, G72 9BT ("the tenant")

And

Jack Fortune Limited having their registered offices at 2 Corstorphine High Street, Edinburgh, EH2 7ST ("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 5<sup>th</sup> July 2012 has been completed. Accordingly, the said Repairing Standard Enforcement Order relative to the Property has been discharged.

**A landlord or 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 James Bauld, Solicitor, 7 West George Street, Glasgow G2 1BA, Chairperson of the Private Rented Housing Committee at Glasgow on 26 October 2012 before this witness:

Signed ..... **J Bauld**  
Chairperson ..... **J Wilson**

Date ..... *2 November 2012*

Signature of Witness .....  
.....

Date ..... *2 NOVEMBER 2012*

Name: *JONATHAN WILSON*  
Address: 7 West George Street, Glasgow, G2 1BA

Designation *TRAVEL SOLICITOR*



## Notice of a decision to Vary

### A Repairing Standard Enforcement Order

Ordered by the Private Rented Housing Committee

prhp Ref: PRHP/G72/158/11

Re : Property at 210 Station Road, Blantyre, Glasgow, G72 9BT ("the property")

The Parties:-

Jack Fortune Limited having their registered offices at 2 Corstorphine High Street, Edinburgh, EH2 7ST ("the Landlord")

And

Claire Thomson, formerly residing at 210 Station Road, Blantyre, Glasgow, G72 9BT ("the tenant")

#### NOTICE TO Jack Fortune Limited. ("the Landlord")

The Private Rented Housing Committee having determined on 2 November 2012 that the **Repairing Standard Enforcement Order** relative to the Property served on 9 July 2012 should be varied, the said **Repairing Standard Enforcement Order** is hereby varied with effect from the date of service of this Notice in the following respects:-

The work required in terms of paragraph (b) of the Order requiring the landlord to repair the washing machine are deleted

Subsection 25(3) of the Housing (Scotland) Act 2006 does apply in this case.

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.

Where such an appeal is made, the effect of the variation is suspended until the appeal is abandoned or finally determined, and where the appeal is abandoned or finally determined by confirming the decision, the variation will be treated as having effect from the day on which the appeal is abandoned or so determined.

In witness whereof these presents type written on this and the preceding page(s) are executed by James Bauld solicitor, 7 West George Street, Glasgow G2 1BA chairperson of the Private Rented Housing Committee at Glasgow on 2 November 2012 before this witness:-

**J Wilson**

\_\_\_\_\_ witness

JONATHAN WILSON name in full

7 WEST GEORGE ST Address

GLASGOW

G2 1BA

TRAINEE SOLICITOR Occupation

**J Bauld** \_\_\_\_\_ chairman



## **Determination by Private Rented Housing Committee**

Statement of Reasons for Decision of the Private Rented Housing Committee

(Hereinafter referred to as "the Committee")

Under Section 26 (1) of the Housing (Scotland) Act 2006

Case Reference Number: PRHP/G72/158/11

Re:- Property at 210 Station Road, Blantyre, Glasgow, G72 9BT ("the property")

Land Register Title Number:- **LAN97366**

The Parties:-

Jack Fortune Limited having their registered offices at 2 Corstorphine High Street, Edinburgh, EH2 7ST ("the Landlord")

And

Claire Thomson, formerly residing at 210 Station Road, Blantyre, Glasgow, G72 9BT ("the tenant")

**The Committee comprised:-**

Mr James Bauld           - Chairperson  
Mr Mike Links           - Surveyor Member  
Mr Chris Harvey       - Housing member

### **Decision**

The Private Rented Housing Committee ("the Committee") having made such enquiries for the purposes of determining whether the Landlord has complied with the Repairing Standard Enforcement Order (hereinafter referred to as "the RSEO") in relation to the house concerned and taking account of the findings of the surveyor member at a re-inspection of the house on 25<sup>th</sup> September 2012, the Committee determined that they would vary the terms of the RSEO and thereafter decided to issue a Certificate of Completion of works in terms of Section 60 of the Act.

## **Background**

1. Reference is made to the initial determination of the Committee dated 5<sup>th</sup> July 2012 which decided that the landlord had failed to comply with the duty imposed by Section 14 (1) (b) of the Act and to the RSEO made by the Committee at that time.
2. The RSEO required the landlord to carry out works to repair the central heating system for the property and to repair the washing machine within the property. The said works were to be carried out and completed within a period of twenty eight days from the date of service of the notice of the RSEO.
3. On 25<sup>th</sup> September 2012 at the re-inspection of the house by the surveyor member, it was observed that the works required to repair the central heating system had been fully completed. It was also observed that the works required to repair the washing machine had not been done.
4. The Committee took the view that the major works involved had been completed and that the Committee sought and received an undertaking from the landlord's agent that the washing machine within the property will be replaced if the property is re-let and the replacement will be done before any new tenant moves into the property. The Committee accepted that undertaking from the landlord's agent and on the basis of that undertaking and in terms of the powers available to the Committee the Committee determined that they would vary the RSEO to remove the requirement to carry out the repairs to the washing machine. Having varied the RSEO in these terms, the Committee took the view that the works required in terms of the RSEO have now been satisfactorily completed. The Committee accordingly decided that it was appropriate to issue a Certificate of Completion in terms of Section 60 of the Act.
5. The members of the Committee were unanimous in their decision.

## **Rights of Appeal**

6. A landlord or tenant aggrieved by the decision of the Committee may appeal to the Sheriff by summary application within 28 days of being notified of that decision.
7. The appropriate respondent in such appeal proceedings is the other Party to the proceedings and not the PRHP of the Committee which made the decision.

## **Effects of Section 63**

8. 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.

9. 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.

**J Bauld**

Signed .....

Date *2 November 2012*

James Bauld, Chairperson

**J Wilson**

Signature of Witness.....

Date *2 NOVEMBER 2012*

Name: *JONATHAN WILSON*

Address: 7 West George Street, Glasgow, G2 1BA

Designation: *TRAINEE SOLICITOR*