



**Certificate of Completion of Work**

**Issued by the Private Rented Housing Committee**

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

**Reference Number: PRHP/RP/16/0011**

**Re: Property at Flat 4, 14 Main Street, Milngavie, G62 6BL all as more particularly described in and registered in Land Certificate DMB52210 (hereinafter referred to as "the property").**

**The Parties:-**

**Mr. Daevid Rosemun ("the Tenant")**

**Mr. Robert Scott Harvey, known as Scott Harvey, 16 Dumbrock Road, Milngavie G62 7RB ("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 19 April 2016 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 typewritten in this page are executed by Patricia Anne Pryce, solicitor, Europa House, 450 Argyle Street, Glasgow, chairperson of the Private Rented Housing Committee at Glasgow on 7 September 2016 before this witness:-**

**Patricia Pryce**

**Nicholas Pryce**

**Witness**

**Name** NICHOLAS PRYCE

**Address** 55 BLYTHSWOOD ST, GLASGOW

**Occupation** ACCOUNTANT



**Statement of Decision of the Private Rented Housing Committee  
Under Section 60 (5) of the Housing (Scotland) Act 2006**

**Reference Number: PRHP/RP/16/0011**

**Re: Property at Flat 4, 14 Main Street, Milngavie, G62 6BL all as more particularly described in and registered in Land Certificate DMB52210 (hereinafter referred to as "the property").**

**The Parties:-**

**Mr. Daevid Rosemun ("the Tenant")**

**Mr. Robert Scott Harvey, known as Scott Harvey, 16 Dumbrock Road, Milngavie G62 7RB ("the Landlord")**

**The Committee comprised:-**

**Patricia Anne Pryce  
Carol Jones**

**- Chairperson  
- Surveyor Member**

**Decision**

The Committee, having made such enquiries as they saw fit for the purposes of determining whether the Landlord had complied with the Repairing Standard Enforcement Order dated 19 April 2016 in respect of the property, and taking account of the subsequent inspection of the property on 29 August 2016 together with subsequent written information provided by the Landlord, determined that the Landlord has complied with the terms of the said Repairing Standard Enforcement Order and so the Committee resolved to issue a Certificate of Completion in respect of the works required by the said Repairing Standard Enforcement Order.

**Background**

1. On 19 April 2016, the Private Rented Housing Committee ("the Committee") issued a determination which stated that the Landlord had

failed to comply with the duties imposed by Section 14 (1)(b) of the Housing (Scotland) Act 2006 ("the Act"). On the same date, the Committee issued a Repairing Standard Enforcement Order ("RSEO") in respect of the property.

2. The RSEO made by the Committee required the Landlord to:-

- (a) To repair or replace all of the windows in the property to ensure that they are wind and watertight and in proper working order.
- (b) To repair or replace the front door and the surrounding frame of the front door to ensure that it is wind and watertight and in proper working order.
- (c) To repair the cracked masonry surrounding the bathroom window and reseal the window to ensure that the structure and exterior of the house are in a reasonable state of repair and in proper working order.
- (d) To repair the crack on the rendering located on the external wall outside the kitchen to ensure that the structure and exterior of the house are in a reasonable state of repair and in proper working order.
- (e) To carry out all works identified as potentially dangerous within the Electrical Installation Condition Report signed and dated 18 March 2016 and, once all of the said necessary works have been carried out, to produce a further report by a suitably qualified and registered electrician confirming that said works have been carried out.
- (f) To repair or replace as required all of the electric storage heaters located within the property.
- (g) To produce a Portable Appliance Test (PAT) on all portable electrical appliances and equipment supplied by the Landlord and located within the property.
- (h) To repair or replace the tumble dryer and any other appliance supplied by the landlord and identified in the PAT as defective.

3. The Committee ordered that the works specified in the RSEO were to be carried out and completed within 28 days of the date of service of the Notice, that is, by 20 May 2016.

4. The property was re-inspected by the Surveyor Member of the Committee on 8 June 2016 and thereafter by the full Committee on 20

July 2016 prior to a second hearing which took place on 20 July 2016. The second hearing was requested by both parties. Following the second hearing, the Committee issued a failure to comply decision in terms of Section 26(1) of the 2006 Act. The Tenant then left the property and was no longer a party to the application. On 9 August 2016, the Committee received a request from the Landlord that a further inspection take place as all of the outstanding works in terms of the RSEO had been completed.

5. On 29 August 2016, the Surveyor Member of the Committee which issued the RSEO attended at the property for the purpose of ascertaining whether the said repairs required by the RSEO had been completed. She found that the house was wind and watertight and in all other aspects fit for human habitation, that the structure and exterior of the house are in a reasonable state of repair and in proper working order, that the installations in the house for the supply of water, gas and electricity and for sanitation, space heating and heating water are in a reasonable state of repair and in proper working order and that the fixtures, fittings and appliances provided by the Landlord under the tenancy are in a reasonable state of repair and in proper working order. In particular, she found that the windows had been repaired, the front door and surrounding frame had been replaced and that a new storm guard had been fitted around the door and the rubber seal on the base of the door was now secure and functioning properly, the cracked masonry around the bathroom window had been repaired and that window re-sealed with mastic, the external cracks to the render on the rear projection have been filled, a satisfactory EICR test certificate dated 20 May 2016 had been provided to Committee, the control button for the boost heat function of the electric storage heater in the rear living room has been replaced and is secure, a PAT certificate provided by the Landlord on 8 August 2016 showed that the new tumble dryer had passed the test and the new tumble dryer had been installed in the kitchen (a previous PAT certificate had been supplied showing all other items had passed the test). Although not part of the RSEO, the Surveyor Member noted that the Landlord had installed new hard wired and interlinked smoke alarms in all the rooms and a heat detection device in the kitchen.

6. Accordingly, the Committee resolved that the RSEO had been complied with in full and that a Certificate of Completion under Section 60 (5) of the Act would be issued.

### **Decision**

The decision of the Committee was to grant a Certificate of Completion under Section 60(5) of the Act. This decision was unanimous.

### **Right of Appeal**

In terms of Section 63 of the Act, 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 of the Act**

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.

Patricia Anne Pryce

7 September 2016

**Patricia Pryce**