



Certificate of completion of work

Issued by the Private Rented Housing Committee

Under section 60 of the Housing (Scotland) Act 2006

PRHP Ref: PRHP/RP/16/0020

Property at: 81/5 (2f2) Kirk Brae, Edinburgh EH16 6JJ

Title No: MID14672

The Parties

Ms Lizette Venter, residing at 81/5 (2f2) Kirk Brae, Edinburgh EH16 6JJ
("the tenant")

and

Samantha Humphreys, residing at 4/19 Lochend Road, Edinburgh, EH6 8BR
("the landlord")

Committee Members:

Paul Doyle	Chairperson
Carol Jones	Surveyor Member

CERTIFICATE OF COMPLETION

The Private Rented Housing Committee hereby certifies that the work required by the **Repairing Standard Enforcement Order** relative to the Property served on 6 April 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 type written on this page are executed by Paul Doyle, solicitor, 24 Haddington Place, Edinburgh, chairperson of the Private Rented Housing Committee at Edinburgh on 9 September 2016 before this witness:-

Joseph Doyle ___ witness

Paul Doyle
chairman

Joseph Doyle
24 Haddington Place, Edinburgh



**Statement of facts and reasons for Decision to grant a
Certificate of Completion of Work
Under Section 60 of the Housing
(Scotland) Act 2006**

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STATEMENT OF FACTS & REASONS.

- (1) On 6 April 2016 the Private Rented Housing Committee issued a decision requiring the Landlord to comply with the Repairing Standard Enforcement Order ("RSEO") made by the Committee on 6 April 2016. On 16 June 2016 the surveyor member of the Committee re-inspected the property. On 20 June 2016 the surveyor member of the committee prepared a report which is attached hereto and referred to for its terms, which are incorporated herein *brevitatis causa*.
- (2) After receiving the surveyor member's report dated 20 June 2016, the parties requested a further inspection by the Committee and a further hearing. On 5th September 2016 Committee members re-inspected the property at 10am. A hearing took place at George House, George Street, Edinburgh at 11.30am on 5th September 2016. The tenant was present at both the inspection and the hearing. The landlord was represented by Mr P Klasinski at both the inspection and the hearing.
- (3) During the inspection, the surveyor member of the Committee took photographs of the interior of the property. A schedule of those photographs is annexed hereto. The schedule of photographs is referred to and incorporated herein *brevitatis causa*.

(4)The RSEO required the landlord to

(i) Instruct an Electrical Installation Condition Report (EICR) and Portable Appliance Test (PAT) on the entire electrical installation of the property and all electrical appliances and equipment supplied by the landlord to be carried out by a suitably qualified and registered SELECT or NICEIC electrical contractor. Carry out works to rectify any identified issues in these reports and provide the PRHP with a report from a suitably qualified and registered SELECT or NICEIC electrical contractor confirming the works are completed.

(ii) Replace the gas central heating boiler and thereafter provide the PRHP with a Gas Safety Record from a suitably qualified, and Gas Safe registered heating engineer on the safety of the gas central heating boiler and all other gas appliances in the property, &, if necessary, carry out any further repairs or replacement to ensure that all gas appliances are safe to use.

(iii) Complete the dry rot eradication works in the hall, the linen cupboard, the main bathroom, the adjacent bedroom and any other area within the property affected by dry rot, and thereafter make good all floor coverings and decoration.

(iv) Secure the bedroom carpet by fitting a threshold bar at the entrance to the en-suite bathroom.

(v) Repair or replace the main bathroom window to ensure it is wind and water tight and in proper working order

All within 4 weeks of the date of service of service of the RSEO

(5)At the hearing, the tenant agreed that the works required by the first two items in the RSEO had been carried out. Committee members have seen satisfactory EICR and PAT test reports. The surveyor member's concerns about outstanding PAT testing has been addressed by the landlord, the hand held vacuum cleaner has been removed. The Committee members have seen a satisfactory Gas Safety Record dated 18 June 2016.

(6)The tenant has a lingering concern about the quality of the work carried out to the central heating system because she believes that water still leaks from a central heating pipe below the floor boards in the hall of the property. The tenant told committee members that she had asked both British Gas and Dyno-rod whether they had repaired the leaking pie, and that she was told that neither contractor had any record of carrying out that work.

(7)For the Landlord, Mr Klasinki told the Committee that the leaking pipe had been fixed. He said that he was present when the work was carried out, and discussed the work with the British Gas Engineer who carried out the work. Mr Klasinski told us that the British Gas engineer offered advice on how to relay the floor above the pipework.

- (8) On examination, Committee members could not see any sign of leaking water. The weight of reliable evidence indicates that the work has been carried out. There is no evidence within the property of a leaking pipe. Committee members are therefore satisfied that item (ii) of the RSEO has been satisfactorily completed.
- (9) Parties are agreed that the dry rot works called for in (iii) of the RSEO have been completed. Since the re-inspection on 16 June 2016 further works to make good the damage caused by the dry rot treatment works have been carried out by the landlord including further painting of woodwork and the bath has been secured and re-sealed. The tenant drew the attention of the Committee to fungus growing on the floor of the en-suite bathroom, she confirmed this is scheduled to be investigated but is not likely to be related to the former outbreak of dry rot. The tenant returned to the property on 23 May 2016. The tenant told the committee about her distress on returning to a property still covered in the dirt caused by the dry rot works, and the need for repeated cleaning of the property. She spoke emotionally about the damage caused to her possessions in the course of the work. The Committee sympathise with the tenant, but damage to possessions and upheaval caused by necessary works are beyond this Committee's jurisdiction. On the facts as the Committee find them to be, the work required by parts (i) (ii) &(iii) of the RSEO have been completed.
- (10) Parties are agreed that the works required by part (iv) of the RSEO have been completed.
- (11) Committee members looked at the window in the main bathroom during the inspection. The tenant opened the window to demonstrate that the window opens and closes satisfactorily. Committee members could see that repairs had been carried out to the window, the stonework around the exterior of the window had been repointed and the window has been painted since the re-inspection on 16 June 2016. The tenant told Committee members (at the hearing) that she was not sure that the window was wind and watertight. The tenant has been back in the property since 23 May 2016. Between that date and the date of hearing there have been many rainy days. There was no sign of water ingress around the window. The Committee members were not aware of draughts when they stood by the window. The tenant does not complain of draughts nor of water ingress.
- (12) The weight of reliable evidence draws the Committee to the conclusion that all of the works required by the RSEO have been satisfactorily completed. The property now meets the Repairing Standard set out in the Housing (Scotland) Act 2006. After this inspection and hearing, the Committee was satisfied that the works required by the RSEO have been carried out and that the RSEO Has been complied with.
- (13) The Tenant has made written representations expressing her concern about the manner in which she has been treated by the landlord and the effect the need for works (and the completion of the works) has had on her. Those are not matters which this Committee can competently consider. In the

circumstances the Committee is satisfied that all works required by the Repairing Standard Enforcement Order have been carried out satisfactorily. Accordingly the Committee decides to grant a certificate of completion.

- (14) **A Landlord or a 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.**
- (15) Where such an appeal is made the effect of the decision and the certificate are 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 certificate are to be treated as having effect from the day on which the Appeal is abandoned or so determined.

Signed: **Paul Doyle**
Paul Doyle, Chairperson 



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



Date of inspection: Thursday 16 June 2016

Reference Number: PRHP/RP/16/0020

Property: 81/5 Kirk Brae, Edinburgh EH16 6JJ

Surveyor: Carol L Jones MA MRICS

Previous Inspection: The subject property was inspected by a full committee of the Private Rented Housing Panel on 31 March 2016 and as a result a Repairing Standard Enforcement Order was served on 6 April 2016.

Access: The tenant Ms Lizette Venter provided access.

Weather: Overcast and heavy rain showers.

In attendance: The tenant, Ms Lizette Venter and the landlord's agent, Mr Paul Klasinski of Pink Property Services attended the inspection.

Repairing Standard Enforcement Order (RSEO) served on 6 April 2016

Works required by the RSEO:

The Private Rented Housing Committee now requires the landlord to carry out such work as is necessary for the purposes of ensuring that the house concerned meets the repairing standard and that any damage caused by the carrying out of any work in terms of this Order is made good.

In particular the Private Rented Housing Committee requires the landlord to:-

(i) Instruct an Electrical Installation Condition Report (EICR) and Portable Appliance Test (PAT) on the entire electrical installation of the property and all electrical appliances and equipment supplied by the landlord to be carried out by a suitably qualified and registered SELECT or NICEIC electrical contractor. Carry out works to rectify any identified issues in these reports and provide the PRHP with a report from a suitably qualified and registered SELECT or NICEIC electrical contractor confirming the works are completed.

(ii) Replace the gas central heating boiler and thereafter provide the PRHP with a Gas Safety Record from a suitably qualified, and Gas Safe registered heating engineer on the safety of the gas central heating boiler and all other gas appliances in the property, &, if necessary, carry out any further repairs or replacement to ensure that all gas appliances are safe to use.

(iii) Complete the dry rot eradication works in the hall, the linen cupboard, the main bathroom, the adjacent bedroom and any other area within the property affected by dry rot, and thereafter make good all floor coverings and decoration.

(iv) Secure the bedroom carpet by fitting a threshold bar at the entrance to the en-suite bathroom.

(v) Repair or replace the main bathroom window to ensure it is wind and water tight and in proper working order

All within 4 weeks of the date of service of service of this order

Works in the RSEO Undertaken:

(i) The landlord has provided an Electrical Installation Condition Report dated 16 March 2016 which describes the installation as in "good condition" and there are no C1 or C2 issues raised in the report. A PAT Testing logbook has also been provided and all items on the list passed the test.

- (ii) The gas boiler has been replaced and a commissioning checklist dated 18 May 2016 provided by the landlord.



- (iii) The dry rot eradication works have been completed. All floors and plasterwork have been reinstated, the bedroom carpets cleaned, a new built in linen cupboard constructed in the hall, a new carpet has been laid in the hallway and most of the decoration reinstated.



- (iv) The bedroom carpet between the main bedroom and the adjoining en-suite has been secured by a new threshold bar.



- (v) The main bathroom window has been repaired and a new casement installed, the window opens and closes properly and it is wind and watertight.



Works in the RSEO Outstanding:

- (i) The PAT logbook does not record a test on a small handheld vacuum cleaner provided by the landlord and kept in a cupboard in the hall. This has not been tested and the tenant said there is a problem with charging it.

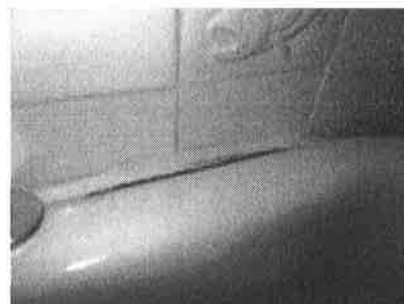
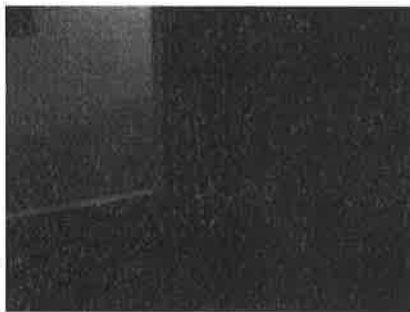


(ii) The landlord has not provided a Gas Safety Record on all gas appliances in the property. The landlord's agent said an up to date record is available and he will arrange for this to be sent to the committee.

(iii) The majority of works to make good the damage caused in carrying out the dry rot works has been completed but the landlord has not painted the new MDF plinth blocks at the base of some of the affected door frames or the new timber frame to the bathroom door.

The tenant pointed out that the bath was moved during the works and the seal is now damaged.

She is also concerned that there may still be a leak to a central heating water pipe under the floor of the hallway caused as a result of the dry rot works. She has asked the landlord's agent for confirmation that the works to repair this leak have been carried out. The agent said it has been rectified but does not have any written confirmation from British Gas.



(iv) Although there is now a threshold bar, the adjoining section of carpet along the wall between the main bedroom and the en-suite is not completely secure.



(v) The bathroom window and surround have not been painted adequately. The timber sash and case window appears to have had only one coat of paint and some sections of the surround have not been painted at all.



All photographs were taken at the re-inspection on 16 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**

20 June 2016

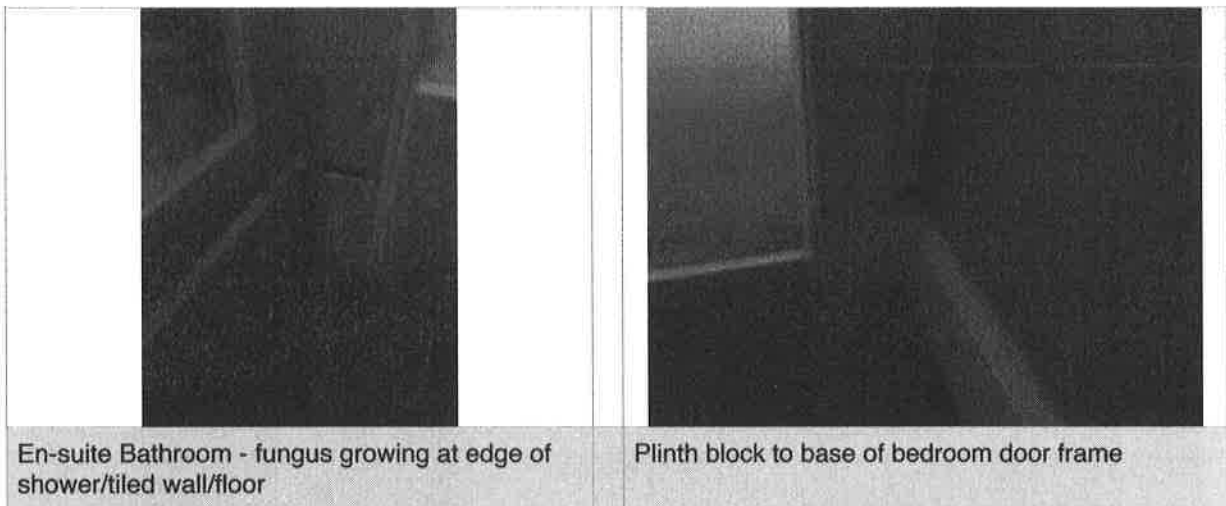


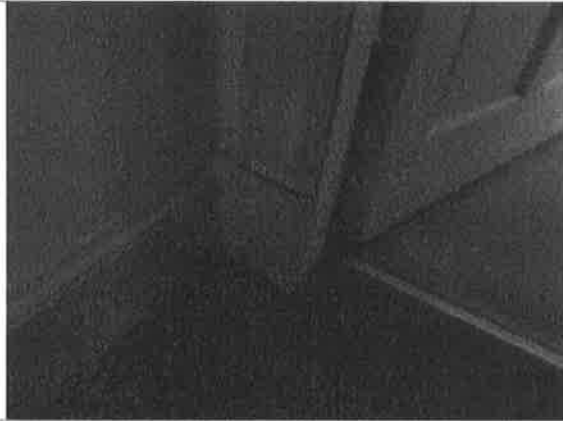
Schedule of photographs taken during the inspection of 81/5 Kirk Brae, Edinburgh
EH16 6JJ
by the Private Rented Housing Committee on the 5 September 2016.

Reference Number : PRHP/RP/16/0020



External view - Front elevation of property.





Plinth block to base of bedroom door frame



Plinth block to base of bedroom door frame



Timber frame to main bathroom door



New seal to bath



Carpet in main bedroom secured at skirting



Bathroom window