



## 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/16/0075

Re: Property at Flat 6, 71 Kemnay Gardens, Dundee, DD4 7TR ("the Property")

Title No: ANG21209

The Parties:-

THOMAS RICHARDSON and KARIN BOYD residing at 23 Pitcairn Park, Leuchars, St Andrews, KY16 08A ("the Landlords")

SHERYL INSTON formerly residing at Flat 6, 71 Kemnay Gardens, Dundee, DD4 7TR ("the Tenant")

### 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 May 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 and the preceding page are executed by Ewan Kenneth Miller, Solicitor, Whitehall House, 33 Yeaman Shore, Dundee, DD1 4BJ, Chairperson of the Private Rented Housing Committee at Dundee on 19 September 2016 before this witness:-

Lindsay Johnston

\_\_\_\_\_ witness

Ewan Miller

\_\_\_\_\_ Chairman

Lindsay Johnston  
Secretary  
Thorntons Law LLP  
Whitehall House  
33 Yeaman Shore  
Dundee  
DD1 4BJ



## Statement of decision of the Private Rented Housing Committee under the Housing (Scotland) Act 2006

prhp Ref: PRHP/RP/16/0075

Re: Property at Flat 6, 71 Kemnay Gardens, Dundee, DD4 7TR (“the Property”)

### The Parties:-

**SHERYL INSTON** formerly residing at Flat 6, 71 Kemnay Gardens, Dundee, DD4 7TR (“the Tenant”)

**THOMAS RICHARDSON** and **KARIN BOYD** residing at 23 Pitcairn Park, Leuchars, St Andrews, KY16 08A (“the Landlords”)

### Decision

The Private Rented Housing Committee, having made such enquiries as was appropriate for the purposes of determining whether the Landlords had complied with the Repairing Standard Enforcement Order (“RSEO”) in relation to the Property concerned and taking account of the subsequent inspection by the Surveyor Member of the Committee, determined that the Landlords had now complied with the terms of the RSEO. The Committee resolved to issue a Certificate of Completion in respect of the works required by the RSEO.

### Background

1. By Decision dated 6 May 2016, the Private Rented Housing Committee had issued a Determination that the Landlords had failed to comply with the duties imposed by Section 4(1)(b) of the Housing (Scotland) Act 2006 (“the Act”).
2. The Committee had placed an RSEO on the Property also dated 6 May 2016. The RSEO required the Landlord to:-
  - (a) Repair or replace all existing double glazed windows (including double glazing units) to ensure that they are wind and watertight and in proper working order.
  - (b) Reinststate kitchen including wall, floor and sink units, associated worktops, plumbing, fittings, pointing etc. and leave in proper working order. Make good ventilation and flue holes in external wall.
  - (c) Carry out such works as are necessary to eradicate the leak at the loose bath overflow outlet and leave in proper working order.
  - (d) Carry out such works as are necessary to ensure that the living room pass door closes correctly and is in proper working order.
  - (e) Carry out such works as are necessary to ensure that the flat entrance door is secure and windproof including replacing missing Yale lock and draught stripping; leave in proper working order.

- (f) Replace missing kitchen central heating radiator.
- (g) Provide and install smoke detection and alarm equipment in accordance with the British Standard on the design of fire detection installations for dwellings (BS5839 Part 6) in conjunction with the Scottish Government's Technical Handbook 2013 Domestic under Section 2 -Fire, Sub-section 2.11 Communication.
- (h) Supply and fit Carbon Monoxide detector compliant with the Scottish Government Statutory Guidance for the provision of carbon monoxide alarms in private rented housing.
- (i) Carry out all making good and decoration works associated with the above repairs.

The RSEO gave the Landlords 3 months from the date of service of the RSEO to carry out the work.

3. A reinspection of the Property was carried out by Mr Andrew Taylor, Surveyor Member of the Committee on 16 August 2016. The Tenant was not present, having previously vacated the Property. Ms Karin Boyd of the Landlords was present.

The Surveyor Member of the Committee reported that all the double glazed windows in the Property had been replaced with PVC units and were now wind and watertight and in proper working order. Internally, however, making good around the new double glazed windows still required to take place including reinstalling the cills, linings, facing, aprons, etc. and associated redecoration.

The Surveyor Member reported that the kitchen had been properly reinstated including wall, floor and sink units, associated worktops, plumbings, fittings, pointing, etc. and was in proper working order. Ventilation and flue holes in the external wall had been provided with proper vent terminals.

The loose bath overflow pipe had been secured.

The living room glass door closed correctly and was now in proper working order.

Works had been carried out so that the entrance door to the flat was properly wind and watertight and secure. The missing yale lock and draught stripping had been replaced.

In the kitchen the missing central heating radiator had been replaced.

Appropriate smoke detection and alarm equipment had been installed in compliance with the Domestic Technical Handbook Regulations. A carbon monoxide detector had also been installed as required.

Subsequent to the inspection the Landlords provided further evidence, via pictures, that the outstanding surrounds on the double glazed windows had been completed.

The Committee, comprising Mr E K Miller, Chairman and Legal Member and Mr A Taylor, Surveyor Member, considered the position. It was apparent that the Landlords had taken on board the required works and carried these out to a good standard. All works within the RSEO appeared to have now been carried out. Accordingly the Committee was satisfied that the Property met the repairing standard. The Committee was satisfied that the RSEO should be lifted and a Certificate of Completion discharging the RSEO under Section 60 of the Act would be granted.

#### **Decision**

4. The Committee's decision was to lift the RSEO and grant a Certificate of Completion discharging the RSEO.

5. The decision of the Committee was unanimous.

**Right of Appeal**

6. **A Landlords 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**

7. 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.

Signed ... **Ewan Miller** ..... Date 19/9/10  
Chairperson