

Ref: PRHP/RP/16/0142



**CERTIFICATE OF COMPLETION OF WORK**

**ISSUED BY THE PRIVATE RENTED HOUSING COMMITTEE**

**UNDER SECTION 60 OF THE HOUSING (SCOTLAND) ACT 2006**

**Re: Property at Flat 7,97 Buccleuch Street, Edinburgh, EH8 9NG, as more particularly described in the Disposition in favour of Nicola Ann Dumughn dated 26 April 1990 and recorded in the Division of the General Register of Sasine applicable to the County of Midlothian on 17 May 1990 ("the House")**

**The parties:-**

**Mr James Garforth, residing at the House ("the Tenant")**

**and**

**Mrs Nicola Foster, c/o DJ Alexander, 52-54 Dundas Street, Edinburgh EH3 6QZ ("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 House served on 9 June 2016 has been completed. Accordingly, the said Repairing Standard Enforcement Notice relative to the House has been discharged.

**A landlord or tenant aggrieved by this decision of the Private Rented Housing Committee may appeal to the Sheriff by way of 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 Maurice O'Carroll, Advocate, Advocates Library, Parliament House, Edinburgh EH1 1RF, Chairman of the Private Rented Housing Committee at Edinburgh on 4 November 2016 before this witness.

M. O'CARROLL

Signed .....  
Maurice O'Carroll, Chairperson

Date: 4 November 2016

A. VEITCH

..... witness:

ANDREW VEITCH ..... Name of witness

ADVOCATES CLERK ..... Occupation

ADVOCATES LIBRARY ..... Address

PARLIAMENT HOUSE  
HIGH STREET  
EDINBURGH EH1 1RF



**Statement relative to the Certificate of Completion**

**Issued by the Private Rented Housing Committee**

**Re: Property at Flat 7, 97 Buccleuch Street, Edinburgh, EH8 9NG as more fully described in the relative Notice ("the House")**

**Case Ref: PRHP/RP/16/0142**

**The Parties:-**

**Application received from Mr James Garforth ("the Tenant")**

**Mrs Nicola Foster, as designated above ("the Landlord")**

**Committee:**

**Mr Maurice O'Carroll (Chairperson)**

**Mr Ian Murning (Surveyor Member)**

**Decision**

**The 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") relative to the House and taking into account subsequent inspections by the surveyor member and the Committee, determined that the Landlord had now complied with the terms of the RSEO and resolved to issue a Certificate of Completion in respect of the works required by the RSEO.**

- 1. By decision dated 9 June 2016, the Private Rented Housing Committee issued a determination that the Landlord had failed to comply with the duties imposed by section 14(1)(b) of the Housing (Scotland) Act 2006 ("the Act").**
- 2. On the same date, the Committee issued an RSEO. The RSEO required the Landlord to: "Carry out the works as described in the email dated 21 April 2016 from Mr Roger Woods of Create Builders to Ms Louise Bevis of DJ Alexander property**

managers relating to repairs to the ceiling fabric and cupboard within the Tenant's bedroom within the House." The works required by the RSEO were to ensure that the House was rendered wind and water tight and in all respects fit for human habitation as required by section 13(1)(a) of the Act.

3. The RSEO allowed the Landlord a period of four weeks to complete the works required.
4. The surveyor member carried out a re-inspection of the House on 12 August 2016, at which time it was discovered that a fresh leak had developed in the bedroom of the House referred to in the RSEO. A report with photographic evidence was produced on that date. The Landlord was given further time to effect the necessary repairs.
5. On 3 November 2016 a further inspection of the House was carried out followed by a Committee hearing.
6. The re-inspection carried out on 3 November 2016 revealed that the further works to House had resulted in the successful elimination of water ingress. Both the Tenant and the Landlord's agent confirmed that there had been no further incidents of water ingress at the House since the further repairs were carried out.
7. At the hearing, the Committee considered the results of the inspection. It noted that further works to the property had consisted of further works to the roof slates and the replacement of a cill. It was satisfied that the water ingress to the House had now ceased and that the property was now in a condition which met the Repairing Standard.

### **Decision**

8. The Committee's decision was therefore to discharge the RSEO and to grant the Certificate of Completion in terms of section 60 of the Act. That decision was unanimous.

### **Right of Appeal**

9. **A landlord or tenant aggrieved by this decision of the Private Rented Housing Committee may appeal to the Sheriff by way of summary application within 21 days of being notified of that decision.**

### **Effect of section 63 of the 2006 Act**

10. Where such an appeal is made, the effect of the decision and 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.

M. O'CARROLL

Chairperson  
Private Rented Housing Committee

Date: 4 November 2016