



## **Certificate of completion of work**

**Issued by the Private Rented Housing Committee**

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

prhp Ref: DG12/160/11

**Re : Property at Cheviot, Shawhill, Annan DG12 6SN ("the Property")**

**Sasine Description:** All and Whole that dwellinghouse known as Cheviot, Shawhill, Annan in the County of Dumfries erected on part of that area of ground extending to 37.022 acres or thereby at Shawhill, Annan described in Disposition by Henry Bowman Roddick in favour of Thomson, Roddick and Laurie Limited, dated 24 November and recorded in the Division of the General Register of Sasines applicable to the County Dumfries 19 December, both months of 1958.

**The Parties:-**

**Thomson, Roddick and Laurie Limited, Shawhill,, Annan DG12 6SN ("the Landlord")**

**Miss Eileen Wright, Cheviot, Shawhill, Annan DG12 6SN ("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 14 December 2011 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 typewritten on this page are executed by George Barrie Clark, solicitor, chairperson of the Private Rented Housing Committee at Edinburgh on 26 July 2012 before this witness:-

**V Clark**

**witness**

**G Clark**

**chairman**

Valerie Elizabeth Jane Clark

7 Newbattle Terrace

Edinburgh



## **Statement of decision of the Private Rented Housing Committee under Section 24 (1) of the Housing (Scotland) Act 2006**

**prhp Ref: DG12/160/11**

**Re : Property at Cheviot, Shawhill, Annan DG12 6SN ("the Property")**

**The Parties:-**

**Miss Eileen Wright, Cheviot, Shawhill, Annan DG12 6SN ("the Tenant")**

**Thomson, Roddick and Laurie Limited, Shawhill, Annan DG12 6SN ("the Landlord")**

### **Decision**

The Committee, having made such enquiries as it saw fit for the purposes of determining whether the Landlord has complied with the duty imposed by Section 14 (1)(b) in relation to the house concerned, and taking account of the evidence led by both the Landlord and the Tenants at the hearing, determined that the Landlord had not failed to comply with the duty imposed by Section 14 (1)(b) of the Act.

### **Background**

1. By application dated 15 September 2011 the Tenant applied to the Private Rented Housing Panel for a determination of whether the Landlord had failed to comply with the duties imposed by Section 14 (1)(b) of the Housing (Scotland) Act 2006 ("the Act").
2. The application by the Tenants stated that the Tenants considered that the Landlord had failed to comply with his duty to ensure that the house meets the repairing standard and in particular that the Landlord had failed to ensure that:-
  - (a) the house is wind and water tight and in all other respects fit for human habitation;
  - (b) the structure and exterior of the house (including drains, gutters and external pipes) are in a reasonable state of repair and in proper working order;
  - (c) 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
  - (d) any fixtures, fittings and appliances provided by the landlord under the tenancy are in a reasonable state of repair and in proper working order.
3. By letter dated 13 October 2011 the President of the Private Rented Housing Panel intimated a decision to refer the application under Section 22 (1) of the Act to a Private Rented Housing Committee.
4. The Private Rented Housing Committee served Notice of Referral under and in terms of Schedule 2, Paragraph 1 of the Act upon both the Landlord and the Tenants.
5. The Private Rented Housing Committee inspected the Property on the morning of 14 December 2011. The Tenant and the Landlord (represented by Mr Stuart Thomson, one of its Directors) were present during the inspection.

6. Following the inspection of the Property the Private Rented Housing Committee held a hearing at Annan and heard from both the Tenant and the Landlord.
7. The Committee determined that the Landlord had failed to comply with the duty imposed by Section 14 (1)(b) of the Act.
8. The Committee proceeded to make a Repairing Standard Enforcement Order as required by section 24(1). The Order required the Landlord:

- a) to instruct a joiner to carry out such repairs as are necessary to ensure the front and rear entrance doors shut and lock properly, that the glazed panels to the side of the front entrance door are securely fitted and that the door to the first bedroom to the left at the top of the stairs closes properly.
- b) to identify the source of the ingress of rainwater in the area of the electricity meter/fusebox cupboard and carry out such repairs as are necessary to prevent further water ingress.
- c) to instruct a suitably qualified timber and damp specialist to investigate the cause of dampness to the rear of the dining room door and the side of the front entrance door and carry out such works as are recommended by the specialist to eradicate the damp and make good, this work to include the checking of sub-floor timbers in the affected areas.
- d) to infill all gaps between skirtings and floors throughout the Property.
- e) to repair or replace the central heating /thermostat control in the back hall.
- f) to carry out such works as are necessary to ensure the drainage from the bath is running freely.
- g) to seal and repair or, if necessary, replace the shower screen, to ensure that water does not leak to the bathroom floor when the shower is in use.
- h) to take all steps required to eradicate the problem of mice infestation in the Property.
- i) to reinstate the boundary wall between the rear garden ground of the Property and the adjoining house.

9. The surveyor member of the Committee re-inspected the Property on 21 May 2012 and made the following findings:

- a) The front door and side panels have been renewed with a new upvc door with double glazed panel. The back door shuts and closes properly. The first bedroom door closes properly.
- b) The source of water ingress was located as the cornice over the front door lintol, and this has been sealed at the joint. No evidence of continuing damp was seen.
- c) The damp area was investigated and established to be condensation. The plaster was cut off and the wall re-plastered. The brick wall was found not to be damp. The sub floor was checked in the hall, and the old timber floor was removed and a new concrete floor laid with a plastic membrane dpc.  
In the sittingroom front corner to the gable wall, the sub floor was exposed and new concrete support was provided to carry the joist ends at the correct level.
- d) The sub floor works appear to have resolved the open gaps between the floors and skirtings.
- e) A new central heating programmer has been installed in the back hall.
- f) The bath was shown to drain freely.

- g) A new glass screen has been fitted to the bath with a flexible seal to the lower edge.
- h) Pest control specialists have treated the property, and no evidence of mice was found at our inspection of the currently vacant house.
- i) The boundary wall to the neighbouring house has been rebuilt, and is in order.

The surveyor member also observed that the Landlord intends to renew the rhones and downpipes to the rear of the kitchen outshoot and that some repair of harling has been completed. His conclusion was that the landlord had satisfactorily carried out the works required by the repairing Standard Enforcement Order

- 10. The Committee, having considered the re-inspection report, determined that the repairing Standard Enforcement Order has been complied with and resolved to issue a Certificate of Completion to that effect.
- 11. The decision of the Committee was unanimous.

#### **Right of Appeal**

- 12. 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**

- 13. 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.

**G Clark**

Signed ..... Date 26 July 2012  
Chairperson