



Certificate of completion of work

Issued by the Private Rented Housing Committee

Under section 60 of the Housing (Scotland) Act 2006

prhp Ref: PRHP/AB44/166/10

Re: Property at 11 Deyhill, MacDuff ("the Property")

Title No: ALL and WHOLE the subjects known as 11 Deyhill, MacDuff being the subjects registered in the Land Register of Scotland under Title Number BNF732

The Parties:-

GEMMA KATHLEEN TAYLOR residing c/o Baymount, 1 Horns Brae, MacDuff, AB44 1UH ("the Landlords")

MR and MRS FRANCIS MOONEY residing at 11 Deyhill, MacDuff ("the Tenants")

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 3 March 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 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 25th July 2011 before this witness:-

L Johnston

Witness

E 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

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Re: Property at 11 Deyhill, MacDuff ("the Property")

The Parties:-

MR and MRS FRANCIS MOONEY residing at 11 Deyhill, MacDuff ("the Tenants")

GEMMA KATHLEEN TAYLOR residing c/o Baymount, 1 Horns Brae, MacDuff, AB44 1UH ("the Landlords")

Decision

The Private Rented Housing Committee, having made such enquiries as was fit for the purposes of determining whether the Landlord had complied with the Repairing Standard Enforcement Order ("RSEO") in relation to the Property concerned, and taking account of the subsequent inspection by 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.

Background

1. By way of a Decision dated 3 March 2011, the Private Rented Housing Committee had 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. The Committee had placed an RSEO on the Property, also dated 3 March 2011. The RSEO required the Landlord to:-
 - (a) To repair or replace the patio door at the Property sufficient to allow it to open and close properly and smoothly and otherwise to ensure it is in proper working order.
 - (b) To repair or replace the window in the bathroom of the Property to ensure that it can open and shut smoothly and is properly wind and watertight.
 - (c) To install a hardwired interlinked smoke alarm system within the Property.
3. Subsequent to the issuing of the RSEO a further inspection was carried out by Mr Angus Anderson, the Surveyor Member of the Committee on 13 July 2011. The Landlord's mother was present. The Tenants were not present having vacated the Property a couple of months previously.
4. Mr Anderson tested the patio door at the Property. Repairs had been carried out and it was now in proper working order. Mr Anderson tested the window in the bathroom of the Property and was satisfied that it could now open and shut easily and was properly wind and watertight. Mr Anderson also noted that a hardwired interlinked smoke alarm system within the Property had now been installed. Accordingly the Report from Mr Anderson to the Committee was that all the works in the RSEO had been undertaken to the appropriate standard. The Committee considered the terms of the re-inspection report and concluded that the terms of the RSEO had been complied with and that the Property now met the repairing standard. The Committee accordingly decided to issue a Certificate

of Completion discharging the RSEO under Section 60 of the Housing (Scotland) Act 2006.

Decision

5. The decision of the Committee was unanimous.

Right of Appeal

6. **A Landlords or Tenants 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.

E Miller

Signed Date... 26/7/11.....
Chairperson