



Certificate of completion of work

Issued by the Private Rented Housing Committee

Under section 60 of the Housing (Scotland) Act 2006

prhp Ref: PRHP/DD4/2/12

Re : Property at 41 Balunie Drive, Dundee, DD4 8PS ("the Property")

Title No: ANG24334

The Parties:-

STOBMUIR ENTERPRISES LIMITED, 15 Albert Street, Dundee, ("the Landlord")

EDWARD SANDEMAN, formerly residing at 41 Balunie Drive, Dundee, ("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 dated 11 April 2012 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 Glasgow on 7 November 2012 before this witness:-

I MacLean witness

E Miller Chairman

IAIN MACLEAN
PANEL CLERK
EUROPA BUILDING
450 ARGYLE ST
GLASGOW
G2 8LL

E Miller



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

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Re : Property at 41 Balunie Drive, Dundee, DD4 8PS ("the Property")

The Parties:-

EDWARD SANDEMAN, formerly residing at 41 Balunie Drive, Dundee, ("the Tenant")

STOBMUIR ENTERPRISES LIMITED, 15 Albert Street, Dundee, ("the Landlord")

Decision

The Private Rented Housing Committee, having made such enquiries as was appropriate 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 11 April 2012 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 11 April 2012. The RSEO required the Landlord to:-
 - (a) carry out such work as are necessary to the exterior of the windows at the Property by repairing or replacing the mastic to ensure that the windows are properly wind and water tight and otherwise in proper working order;
 - (b) carry out such works of repair and replacement to the front and rear external doors to the Property to ensure that they are properly wind and watertight and otherwise meet the repairing standard;
 - (c) produce to the Committee from a suitably qualified electrician a clear Electrical Installation Condition Report confirming that the electrical installation within the Property is compliant with the relevant regulations;
 - (d) produce a clear and current Gas Safety Certificate for the Property;
 - (e) investigate and rectify the source of the water ponding within the basement sufficient to render the basement properly water tight;
 - (f) carry out such works to the downpipes, drains, gutters and external pipes at the rear of the Property to ensure that they are in proper working order;
 - (g) reinstate or replace the kitchen, bathroom and washing machine at the Property and to ensure that they meet the repairing standards;

- (h) carry out such works to the two showers within the Property to ensure that they are not leaking and are otherwise in proper working order;
 - (i) carry out such timber specialist treatment works to the timbers within the Property to ensure that any woodworm/rot is dealt with and the timbers are structurally sound. Due to the toxic nature of these works and to protect future tenants within the Property, such works will require to be carried out by a suitably qualified specialist and evidence of this will require to be produced to the Committee;
 - (j) reinstate the floor boards within the ground floor of the Property to a standard commensurate with the repairing standard.
3. A reinspection of the Property was carried out by the Surveyor Member of the original Committee. This reinspection was carried out on Tuesday 25 September 2012. A representative from the Landlord was present. The Tenant was not present having vacated the Property.

The Surveyor reported to the Committee that extensive repairs had been undertaken to the Property.

The mastic around the windows had been replaced and the window now appeared to be watertight.

The front and rear external doors had been replaced and appeared to be watertight.

There was no longer water ponding in the basement area and the subsoil was now dry.

The drains to the rear of the Property had been repaired and the path relaid.

The kitchen and bathroom had been completely refitted and the washing machine had been replaced.

The shower in the bathroom had been replaced and the seal around the shower tray in the first floor shower room had also been replaced.

The floor structure, floorboards and staircase had also been replaced. The original floor and staircase no longer required to be treated for wood boring insect attacks.

The Landlord had not produced an electrical installation condition report nor a current gas safety certificate as required by the original RSEO. The Landlord was notified of this and, after a short delay, produced a clear electrical installation condition report and gas safety certificate.

The Committee considered the results of the reinspection. The Committee were satisfied that all items under the RSEO had now been carried out. The Property had undergone significant improvement and now met the repairing standard. Accordingly the Committee resolved that the RSEO would be lifted and a Certificate of Completion discharging the RSEO under Section 60 of the Act would be granted.

Decision

4. The decision of the Committee was unanimous.

Right of Appeal

5. 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

6. 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..... 7/11/12
Chairperson