

CERTIFICATE OF COMPLETION OF WORK

Issued by the Private Rented Housing Committee

Under Section 60 of The Housing (Scotland) Act 2006

Re: Corsehead Farm, Glenluce, Newton Stewart, DG8 OJF ("the Property")

TITLE NUMBER: WGN 4312

The Parties:-

Robert William Gascoyne and Mrs Janet Gascoyne, residing at Corsehead Farm, Glenluce, Newton Stewart, DG8 OJF ("Tenants")

John J M McIntosh, residing at Genoch Mains, Dunragit, Stranraer ("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 Property dated 3rd September 2008 has been completed. Accordingly, the said Repairing Standard Enforcement Order relative to the Property has been discharged.

A landlord or 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 and the preceding page(s) are executed by Andrew Stuart Cowan, Solicitor, 7 West George Street, Glasgow G2 1BA, Chairperson of the Private Rented Housing Committee at Glasgow on 14th December 2009 before this witness:

C A Millar

.....
(witness)

A Cowan

.....
(Chairman)

Name: Carol Anne Millar
Address: 7 West George Street, Glasgow G2 1BA
Occupation: Legal Secretary

Determination by Private Rented Housing Committee

Statement of decision of the Private Rented Housing Committee under Section 60 (5) of the Housing (Scotland) Act 2006

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Background

- 1 On 3rd September 2008 the Private Rented Housing Committee ("the Committee") issued a Determination which decided that the Landlord had failed to comply with the duty imposed by Section 14(1)(b) of the Housing (Scotland) Act 2006 ("the Act"). On the same date the Committee issued a Repairing Standard Enforcement Order ("RSEO") in respect of the property.
- 2 On 18th November 2009 the Committee convened at the Property for the purposes of carrying out a further inspection of the Property. In addition to the Committee also in attendance at the Property on that date were the Landlord and the Tenants along with the Landlord's legal representative and the Clerk to the Committee. The Committee did not carry out any further re-inspection of the Property. The Tenants indicated to the Committee that they accepted that the Landlord had carried out all work required in accordance with the Repairing Standard Enforcement Order previously issued by the Committee.

The Tenants accepted that work had been carried out to treat and eradicate the dampness within the Property, but at this time they could not be certain that this work had been successful in wholly eradicating the dampness. The Committee were satisfied that the Landlord had carried out such works as might be reasonably required to treat and eradicate the dampness within the Property. In the event that these works did not prove to be sufficient then the Tenants could raise a further application to the Private Rented Housing Panel.

Determination

- 3 The Committee having heard from the Tenants that they were satisfied that all necessary works in accordance with the Repairing Standard Enforcement Order had been completed now certify that the work has been so completed. In the circumstances the Committee have determined to issue a Certificate of Completion in respect of the Property.

Right of Appeal

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

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 28 days from the day on which the appeal is abandoned or so determined.

A Cowan

.....
Andrew S Cowan, Chairperson
14th December 2009

C A Millar

.... (Sign)

Witness

Name: Carol Anne Millar
Address: 7 West George Street, Glasgow G2 1BA
Occupation: Legal Secretary