



**Certificate of Completion of Work
Issued by the Private Rented Housing Committee
Under section 60 of the Housing (Scotland) Act 2006**

Title Number ANG43739

**Re: The residential dwellinghouse at BF1, 18 – 20 Church Street
Edzell, DD9 7TQ
("the Property")**

The Parties:-

**Ms K Scott formerly resident at the Property
("the Tenant")**

and

**Balhouses Care Limited
Incorporated under the Companies Acts (Registered Number SC166652)
c/o Mr Brian Scott, 17 Reform Street, Kirriemuir, DD8 4BS
("the Landlords")**

CERTIFICATE OF COMPLETION

The Private Rented Housing Committee hereby certifies that the work required by the Repairing Standard Enforcement Order ("the RSEO") dated 11 May 2011 relative to the Property has been completed. Accordingly the RSEO 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 is subscribed by Ronald G Handley, Solicitor, chairperson of the Private Rented Housing Committee at Dunbar on the 8 December 2011 before this witness:-

J Handley witness R Handley chairperson

JANE HANDLEY name in full

COLLEGE MANAGER occupation

23 LESLIE WAY

DUNBAR

EH42 1GP address



Decision by the Private Rented Housing Committee

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

Title Number ANG43739

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DD9 7TQ**

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(Registered Number SC166652)
c/o Mr Brian Scott
17 Reform Street
Kirriemuir
DD8 4BS**

(“the Landlords”)

The Committee comprised:

**Mr Ron Handley – Chairperson
Mr Donald Marshall – Surveyor
Mr John Wolstencroft – Housing Member**

The Committee’s Decision

The Committee, having made such enquiries as it saw fit unanimously determined that the Landlords had complied with the requirements of the Repairing Standard Enforcement Order dated 11 May 2011 (“the RSEO”) and the Committee now discharges the RSEO.

The Background

1. On 14 February 2011 the Tenant applied to the Private Rented Housing Panel ("the PRHP") for a determination as to whether or not the Landlords had failed to comply with the duties imposed by Section 14(1)(b) of the Act.
2. Following receipt of the Tenant's application, the President of the PRHP intimated that the application should be referred to a Private Rented Housing Committee in accordance with Section 22(1) of the Act.

The Application

3. In her application the Tenant alleged that the Landlords had failed to comply with their duty to ensure that the Property met the Repairing Standard (as defined in the Act). It was submitted that the Landlords had failed to ensure that the Property was wind and water tight and in all respects reasonably fit for human habitation; that the installations in the Property for the supply of water, gas and electricity and for sanitation, space heating and heating water were not in a reasonable state of repair and not in proper working order; the fixtures, fittings and appliances provided by the Landlords under the Tenancy Agreement were not in a reasonable state of repair and not in proper working order.

The Inspection

4. The Committee inspected the Property on 4 May 2011 at 10.00am. The Tenant was not present at the inspection and Mr Whittet represented the Landlords. A Hearing was arranged for 11.00 am in Inglis Memorial Hall after the inspection. Ms Kay attended the Hearing and the Landlords were again represented by Mr Whittet.
5. The Committee found the following facts to be established:
 - The Tenant and the Landlords entered into a Tenancy Agreement that related to the Property.
 - The Property is a two-room ground floor flat in a two-storey dwelling house. The Property comprises a bathroom, kitchen, living room and bedroom.
 - The shower (in the bathroom) is in a reasonable state of repair and in proper working order.
 - The Property is heated by a gas central heating system.
 - The bathroom window opens and is in a reasonable state of repair. The extractor fan in the bathroom is in proper working order.
 - There was no evidence of dampness in the bathroom.

- The Landlords are required to have a Landlord's Gas Safety Certificate that relates to the system for space heating and heating water within the Property. The Landlords are required to provide the Tenant with a copy of this Certificate. No such document was made available to the Tenant (or to the Committee).
 - There is dampness in the area immediately above the skirting board in the external wall of the living room.
6. The Committee determined that the Landlords had failed to comply with the duty imposed by section 14(1) (b) of the Act.
 7. The Committee proceeded to make a Repairing Standard Enforcement Order as required by section 24(1) of the Act.
 8. The decision of the Committee was unanimous.
 9. On 5 December 2011 the surveyor member of the Committee re-inspected the Property and found that the works required in the RSEO had been completed. Following consideration of the re-inspection report the Committee unanimously decided that the RSEO should be discharged.

Right of Appeal

10. A Landlord(s) or Tenant aggrieved by the decision of a PRHP Committee may appeal to the Sheriff by summary application within 21 days of being notified of that decision.

Effect of section 63

11. 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. 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.

Signed..... **R Handley** Date..... 8. DECEMBER 2011
 Chairperson