

DETERMINATION BY PRIVATE RENTED HOUSING COMMITTEE

Statement relative to Certificate of Completion of work Issued by the Private Rented Housing Committee under section 60 of the Housing (Scotland) Act 2006

Re : Property at 2 Onthank Drive, Kilmarnock, KA3 2AY ('the Property')

The Parties:-

Mrs Elizabeth Dunn, 2 Onthank Drive, Kilmarnock, KA3 2AY ('the Tenant')

Thomas Wilson Stewart Woodside and Anita Woodside 33 Gobbins Road, Island Magee, Larne, Co Antrim, BT40 3TX (represented by their agents the Letting Shop, 7 West George Street, Kilmarnock) ('The landlord')

Background

1. On 15th September 2008 the Private Rented Housing Committee ('the Committee') issued a Determination which decided that the Landlord had failed to comply with the duties 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. The RSEO made by the Committee required the Landlord to:-
 - (a) Repair the central heating system to ensure that it is in proper working order.
 - (b) Repair the defective double glazing window units in the kitchen and the larger front bedroom to ensure that they are in proper working order.
 - (c) Repair the defective locking mechanism of the front door to ensure that it is in proper working order.
3. On 17th November 2008 Mr Michael Links FRICS, surveyor member of the Committee, in the presence of Robert Shea, clerk to the Committee, inspected the property and reported to the Committee that the central heating system had been satisfactorily repaired however the required repairs to the double glazing window units and the defective locking mechanism of the front door had not been undertaken.
4. On 14th May 2009 Mr Michael Links FRICS, surveyor member of the Committee, inspected the property and reported to the Committee that the defective locking mechanism of the front door had been satisfactorily repaired.
5. On 19th June 2009 Mr Michael Links FRICS, surveyor member of the Committee, reinspected the property and reported to the Committee that the double glazing window units had been satisfactorily repaired.
6. Thereafter the Committee agreed that the works required by the RSEO had been completed and the appropriate Certificate of Completion in terms of Section 60 Housing (Scotland) Act 2006 should be issued.

Right of Appeal

7. 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

8. 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.

Signed **J Taylor** Date 26th June 2009
Chairperson

Certificate of completion of work

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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 15th September 2008 and registered in the Land Register of Scotland on 25th September 2008 under Title number AYR31901 has been completed.

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.

Signed... **J Taylor** Date 26th June 2009
Chairperson 

..... E G Shedden Witness
Elizabeth Giffen Shedden
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