



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

Title Number LAN61156

PRHP/ML3/43/11

**Re: The residential dwellinghouse at
124 Fleming Way, Hillhouse, Hamilton, ML3 9QH
("the Property")**

The Parties:-

**Miss Emma Donaldson previously resident at the Property
("the Tenant")**

and

**Mr Jim Doherty, C/O Excel Property, 37 Bairds Crescent, Allanshaw
Industrial Estate, Hamilton, ML3 9BG**

("the Landlord")

CERTIFICATE OF COMPLETION

The Private Rented Housing Committee hereby certifies that the work required by the Repairing Standard Enforcement Order ("the RSEO") dated 14 October 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 14 June 2012 before this witness:-

J Handley witness R Handley chairperson

JANE HANDLEY name in full

COLLEGE MANAGER occupation

23 LESLIE WAY

DUNBAR EAST LOTHIAN



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

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and

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C/O Excel Property
37 Bairds Crescent
Allanshaw Industrial Estate
Hamilton
ML3 9BG
("the Landlord")**

The Committee's Decision

The Committee, having made such enquiries as it saw fit unanimously determined that the Landlord had complied with the requirements of the Repairing Standard Enforcement Order dated 14 October 2011 ("the RSEO") and the Committee now discharges the RSEO.

The Background

- 1. On 21 February 2011 the Tenant applied to the Private Rented Housing Panel ("the PRHP") for a determination as to whether or not the Landlord had failed to comply with the duties imposed by Section 14(1)(b) of the Act.**

2. The Committee inspected the Property on 5 October 2011 at 10.00am. The Tenant and the Landlord were present at the inspection.
3. Following the inspection and a Hearing the Committee found the following facts to be established:
 - The Property is a two storey, semi detached house. At the front of the Property there is a small entrance porch ("the front porch") and there is a larger back porch at the rear of the Property.
 - The heaters in the back porch and in the downstairs WC are in proper working order.
 - Two functioning, mains powered and interlinked smoke alarms have been installed in the Property.
 - There is no evidence of dampness in the upstairs bathroom following the installation of a ventilation fan by the landlord.
 - Some works have been executed to the front porch. These works include the removal of rotten wood. However there are gaps in the area around the front door and the roof of the front porch is in need of repair. The front porch is not wind and watertight.
 - Some works have been executed to the back porch. However the roof is in a poor state of repair and is not adequately sealed, there is evidence of dampness in the rear external wall and parts of the ceiling are damp and not secure. The back porch is not wind and watertight.
 - The external windowsill at the front facing living room window has been replaced but the replacement is ill fitting and is not wind and watertight.
 - The Tenant has not been provided with an Allen key to allow her to open, close and lock the windows (which have locks fitted).
 - The Property is not wind and watertight and does not meet the standard set out in section 13(1)(a) of the Act.
 - The window locks cannot be used properly and do not meet the standard set out in section 13(1)(d) of the Act.
4. The Committee determined that the Landlord had failed to comply with the duty imposed by section 14(1)(b) of the Act.
5. The Committee proceeded to make an RSEO as required by section 24(1) of the Act.
6. The decision of the Committee was unanimous.

7. On 8 May 2012 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

8. A Landlord 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

9. 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.

R Handley

Signed..... Date...14...June...2012..
Chairperson