



Certificate of completion of work

Issued by the Private Rented Housing Committee

Under section 60 of the Housing (Scotland) Act 2006

prhp Ref: PRHP/FK2/50/10

Re: Property at 8 Farm Street, Falkirk, FK2 7SS ("the Property")

Title No: 8 Farm Street, Falkirk being the first floor flat forming part of block 2-12 Farm Street, Falkirk and being the subjects registered in the Land Register of Scotland under Title Number STG1131

The Parties:-

Mr Mohammed Aslam residing at 10 Emmas Way, Bonnybridge, FK4 1GF ("the Landlord")

Mrs Kirsty Black formerly residing at 8 Farm Street, Falkirk, FK2 7SS ("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 18 June 2010 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 Dundee on 14 December 2011 before this witness:-

L Johnston

witness

Chairman

Lindsay Johnston
Secretary
Thorntons Law LLP
Whitehall House
33 Yeaman Shore
Dundee
DD1 4BJ

E Miller



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

prhp Ref: PRHP/FK2/50/10

Re: Property at 8 Farm Street, Falkirk, FK2 7SS ("the Property")

The Parties:-

**Mrs Kirsty Black formerly residing at 8 Farm Street, Falkirk, FK2 7SS
("the Tenant")**

**Mr Mohammed Aslam residing at 10 Emmas Way, Bonnybridge, FK4 1GF
("the Landlord")**

Background

1. On 18 June 2010 the Private Rented Housing Committee ("the Committee") issued a Determination which determined that the Landlord had failed to comply with the duty imposed by Section 14(1) of the Housing (Scotland) Act 2006. On the same date the Committee issued a Repairing Standard Enforcement Order ("RSEO") in respect of the Property. The RSEO made by the Committee required the Landlord to carry out such works as were necessary:-
 - a. To repair or replace the front right cooker ring element and to ensure that it is in proper working order.
 - b. To repair or replace the oven door forming part of the cooker and to ensure that it is in proper working order.
 - c. To replace the lounge heater with one capable of being thermostatically controlled by the Tenant.
 - d. To either repair the hall heater by the provision of replacement thermostatic and timing control switches failing which by the replacement of the hall heater itself.
 - e. To properly fix the girl's bedroom heater to the wall and to repair or replace as appropriate the melted cover for the control panel and the missing on/off switch.
 - f. To replace the cracked bath panel.
 - g. To replace the missing laminate flooring in the hallway and to install a space bar between the hallway and bedroom

- h. To repair the door handle to ensure it is no longer loose and to carry out such repair works as are necessary to allow the front door to open and shut smoothly.
2. Subsequent to the original inspection a further inspection was carried out in July 2010. Whilst certain works had been carried out at that point, not all of the works had and a Rent Relief Order at 40% was served on the Landlord.
3. On 18 November 2011, Mr Ian Mowatt, the original Surveyor Member, carried out a further inspection of the Property for the purpose of ascertaining whether the repairs required by the RSEO had been carried out.
4. It was noted by the Surveyor Member that the Tenant had moved out in October 2011 and the flat was now vacant. Present during the inspection was the Landlord's son, Mr Intiaz Aslam and the Landlord's maintenance worker, Mr Arthur Donechy.
5. The Surveyor Member inspected the various outstanding matters in terms of the original RSEO as follows:-
 - (a) The cooker/oven had been replaced. The ring elements were tested and appeared to be in proper working order.
 - (b) The cooker/oven had been replaced and the oven door was now in proper working order.
 - (c) The lounge heater had been replaced and was now capable of thermostatic control.
 - (d) The hall heater had been removed but had not been replaced. The Landlord's son indicated that the Tenant had agreed to the removal of the heater to make the hall wider and more accessible.
 - (e) The girl's bedroom heater was now affixed properly to the wall and had an on/off switch. The melted cover for the control panel had been removed but not replaced. Nonetheless this did not affect the operation of the heater.
 - (f) The bath panel had been replaced.
 - (g) The hall laminate flooring had been replaced and a space bar fitted.
 - (h) The hall entrance door handle had been repaired. The door fitting needed a slight further adjustment but the Landlord's son indicated that this would be carried out.
6. Subsequent to the re-inspection, Mr Mowatt circulated his report for consideration by the Committee. The Committee were conscious that the Tenant had removed from the Property and, whilst not all the works had been carried out exactly in line with the RSEO, nonetheless the vast bulk had been carried out to a sufficient standard. The issues remaining were *de minimis* and in the circumstances the Committee were satisfied that the RSEO could

be lifted and that a Completion Certificate should be issued in respect of the RSEO. The Committee were also aware that a Rent Relief Order had been placed over the Property and that a Notice of Decision to Revoke the Rent Relief Order should also now be issued.

Decision

- 7. The Committee having made such enquiries as were fit for the purposes of determining whether the Landlord had complied with the Repairing Standard Enforcement Order in relation to the Property concerned, and taking account of the evidence obtained at the re-inspection of the Property, determined that the Landlord had now complied with the RSEO in terms of the Housing (Scotland) Act 2006. Accordingly a Certificate of Completion should now be issued.
- 8. The Committee, in light of the decision to issue a Certificate of Completion in respect of the RSEO, also resolved to revoke the Rent Relief Order that had been placed on the Property.

The decision of the Committee was unanimous.

Right of Appeal

- 9. **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

- 10. 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
Chairperson

E Miller

..... Date..... 14/12/11