

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 : The dwelling house at 52/6, Bath Street, Edinburgh, EH15 1HF, being the subjects registered in the Land Register of Scotland under Title number MID103117 ('the Property')

The Parties:-

Toby and Leanne Rockingham, 52/6, Bath Street, Edinburgh ('The Applicant')

Dr Nicoletta Policek, 52 (2F3) St Stephens Street, Edinburgh, EH3 5AL ('the Landlord')

Background

1. On 7th January 2010 the Private Rented Housing Committee ('the Committee') issued a Determination 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 or replace the window in the left hand rear bedroom to render the window wind and water tight and in proper working order.
 - (b) Have the gas safety certificate pertaining to the condition of the gas appliances and central heating boiler in the Property signed by a suitably qualified engineer and exhibit the same to the Committee, failing which exhibit to the committee an updated gas safety certificate confirming that the gas appliances and central heating boiler are safe.
 - (c) Secure the threshold plate between the hall and the rear left hand bedroom to render it safe and proper working order.
3. On 28th February 2010 the chairperson and surveyor member of the Committee inspected the property and found as follows:-
 - (a) The window in the left hand rear bedroom had been replaced with a new double glazed unit and was proper working order.
 - (b) The threshold plate between the hall and the rear left hand bedroom had been secured such that it was safe and in proper working order.

Further, the gas safety certificate, which was produced to them at the inspection on 28th February 2010, confirmed that the gas appliances and central heating boiler are safe, albeit that the certificate was unsigned. The landlord's agent advised the Committee that the gas safety engineer had inspected the gas appliances and central heating boiler on 27th February 2010 and issued the gas safety certificate following the inspection. He had advised the landlord's agent that gas safety certificates are no longer signed manually and therefore he had not signed the certificate. This was accepted by the chairperson and the surveyor member of the Committee.
4. Thereafter the said chairperson and surveyor member of the Committee (as a majority of 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

5. **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

6. 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 8th March 2010
Chairperson 

copy

Certificate of completion of work

Issued by the Private Rented Housing Committee

Under section 60 of the Housing (Scotland) Act 2006

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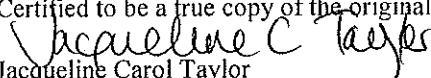
CERTIFICATE OF COMPLETION

The Private Rented Housing Committee hereby certifies that the work required by the **Repairing Standard Enforcement Order** relative to the Property dated 7th January 2010 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 8th March 2010
Chairperson ✓ 

E G Shedden Witness
Elizabeth Giffen Shedden
65 High Street
Irvine
KA12 0AL

At Irvine 8th March 2010
Certified to be a true copy of the original

Jacqueline Carol Taylor
Solicitor and Notary Public, 65 High Street, Irvine