



## Certificate of completion of work

Issued by the Private Rented Housing Committee

Under section 60 of the Housing (Scotland) Act 2006

prhp Ref: PRHP/DD11/3/11

Re: Property at 3 Hill Terrace, Arbroath, Angus, DD11 1AH ("the Property")

**Title Description** ALL and WHOLE those subjects being the eastmost ground floor flatted dwellinghouse forming part of 3, 4 and 5 Hill Terrace, Arbroath and being the subjects registered in the Land Register of Scotland under Title Number ANG45832

### The Parties:-

MISS ELINOR JAMIESON formerly residing at 3 Hill Terrace, Arbroath, Angus, DD11 1AH ("the Tenant")

EWAN GRANT DAVIES residing at 5 Esk Gardens, Carnoustie, Angus, DD7 6HG ("the former Landlord")

BELLROCK (SCOTLAND) LIMITED, a Company registered in Scotland under the Companies Act (Company Number SC291532) and having its registered office at Muirhouse, Parkhill, Arbroath, Angus, DD11 5RG (the new Landlord")

### 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 5 April 2011 has been completed. Accordingly, the said Repairing Standard Enforcement Order relative to the property has been discharged.

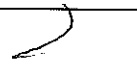
**A landlord or a tenant aggrieved by this decision of the Private Rented Housing Committee may appeal to the Sheriff by summary application within 21 days of being notified of that decision.**

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 30 November 2015 before this witness:-

E. MILLER

C. ROBERTSON 

Chairman

  
Claire Robertson  
Secretary  
Thorntons Law LLP  
Whitehall House  
33 Yeaman Shore  
Dundee  
DD1 4BJ



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

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### Decision

The Private Rented Housing Committee, having made such enquiries as was appropriate for the purposes of determining whether the new Landlord had complied with the Repairing Standard Enforcement Order ("RSEO") in relation to the Property concerned and taking account of the subsequent re-inspections of the Property, determined that the new Landlord had now complied with the terms of the RSEO and resolved to issue a Certificate of Completion in respect of the works required by the RSEO.

### Background

1. By way of a decision dated 5 April 2011, the Private Rented Housing Committee had issued a determination that the former Landlord had failed to comply with the duties imposed by Section 14(1)(b) of the Housing (Scotland) Act 2006 ("the Act").
2. The Committee had placed an RSEO on the Property, also dated 5 April 2011. The RSEO required the former Landlord:-
  - (a) To repair or replace the wall tiles within the wet room to ensure no further water leakage and damp penetration to the bedroom;
  - (b) To carry out such works to the wet room floor as are necessary to ensure that there is a fall towards the drain and that the pooling of water within the wet room is restricted;
  - (c) To produce a current and clear Gas Safety Certificate over the Property and to exhibit this to the Committee;
  - (d) To carry out such works as are necessary to the front bedroom window to allow it to be capable of being opened and shut smoothly;
  - (e) To carry out repair works to the front bedroom and lounge windows to repair the rot damaged areas and to repaint the windows after this has been done.

The terms of the RSEO required the former Landlord to carry out the works within 28 days from the date of service of the RSEO.

3. A re-inspection of the Property was carried out by Mr David Godfrey (the original Surveyor Member of the Committee) on 24 June 2011. At that stage there had been some minor works carried out in the shower room but no other works had been attended to. A further decision was then issued by the Committee dated 1 September 2011 where the Committee elected not to serve a Rent Relief Order on the Property but did elect to refer the matter to the Local Authority.

The Property was subsequently re-possessed from the former Landlord. It was then subsequently sold to the new Landlord, Bellrock (Scotland) Limited. The new Landlord then carried out improvement works to the Property and re-let it.

The change in landlord came to the attention of the Committee and a further re-inspection was arranged. Mr David Godfrey then attended the Property for a further re-inspection on 19 November 2015. The original Tenant was not present. The new Landlord was not present but access to the Property was provided by the new Tenant, Miss Jamie-Leigh Masson.

The Surveyor Member reported that the wall tiles within the wet room (which had been converted to a shower room) had been replaced with wet wall panelling. This all appeared to be carried out to a good standard. The wall between the shower room and the front bedroom was tested with a damp meter and was found to be dry. The wall had also been decorated.

A new shower cabinet had been installed and there was no pooling of water on the shower room floor.

A valid Landlord Gas Safety Certificate dated 1 June 2015 was provided.

The original timber sash windows had been replaced with more modern PVC double glazed units.

4. The Committee (comprising Mr E K Miller, Chairman and Legal Member and Mr D Godfrey, Surveyor Member) considered matters. The Committee was satisfied that all the works required to the Property had been carried out in terms of the original RSEO. The Property was now in a good standard and suitable for let.

The Committee did note that the new Landlord should not have re-let the Property without first having the RSEO removed. However, the works had been done to a good standard and the Committee did not see any benefit in the new Landlord's actions being complained about.

The Committee was satisfied that the RSEO should be lifted and a Certificate of Completion discharging the RSEO under Section 60 of the Act would be granted.

#### **Decision**

5. The Committee's decision was to lift the RSEO and grant a Certificate of Completion discharging the RSEO.

The decision of the Committee was unanimous.

#### **Right of Appeal**

6. 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**

7. 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.

E. MILLER

Signed ....  
Chairperson -

.... Date..... 8/12/15 .....