



Certificate of completion of work

Issued by the Private Rented Housing Committee

Under section 60 of the Housing (Scotland) Act 2006

prhp Ref: PRHP/DD1/53/13

**Re : Property at 0/1, 4 Gardner's Lane, Lochee Road, Dundee DD1 5RE
..... ("the Property")**

**ALL and WHOLE the subjects known as and forming 0/1, 4 Gardner's Lane,
Lochee Road, Dundee DD1 5RE as more particularly described in Land
Certificate Title Number ANG57400**

The Parties:-

**Robert Thomas Irwin and Hilary Carol Irwin, 5 Church Avenue, Holywood BT18
9BJ ("the Landlord")**

**Lesley-Anne Dunsmuir, Property at 0/1, 4 Gardner's Lane, Lochee Road,
Dundee DD1 5RE ("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 served on 13 June 2014 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 John Miller McHugh, solicitor, 3 Ponton Street, Edinburgh, Chairperson of the Private Rented Housing Committee at Edinburgh on 25 August 2015 before this witness:-

L KEMP

J MCHUGH

____ witness
✓ LEWIS KEMP name in full
3 LONDON STREET Address
COIMMUNIST
EH7 9QQ
Solicitor Occupation

____ Chairman



DETERMINATION BY PRIVATE RENTED HOUSING COMMITTEE

**STATEMENT OF DECISION OF THE PRIVATE RENTED HOUSING COMMITTEE
UNDER SECTION 60
OF THE HOUSING (SCOTLAND) ACT 2006**

In connection with

Property at 0/1, 4 Gardner's Lane, Lochee Road, Dundee DD1 5RE
(hereinafter referred to as "the House")

Lesley-Anne Dunsmuir, formerly of 0/1, 4 Gardner's Lane, Lochee Road,
Dundee DD1 5RE (hereinafter referred to as "the Tenant")

Robert Thomas Irwin and Hilary Carol Irwin, 5 Church Avenue, Holywood
BT18 9BJ (hereinafter referred to as "the Landlord")

PRHP REFERENCE PRHP/DD1/53/13

The Committee comprised the following members:

John McHugh, Chairperson
Michael Scott, Housing Member
David Godfrey, Surveyor Member

DECISION

The Committee having carried out a further inspection of the House determined that the work required by the Repairing Standard Enforcement Order served on 13 June 2014 ("the RSEO") had been completed and resolved to issue a Certificate of Completion of Work.

The decision of the Committee was unanimous.

Background

The RSEO required the Landlord to complete the following work within 60 days of service of the RSEO:

- 1 To instruct a report from a specialist contractor who is expert in the treatment of timber as to the cause of the problems with the flooring in the House and as to the remedial works required.
- 2 To carry out the works recommended by the specialist contractor.
- 3 To put the kitchen into state of repair whereby the floor is reasonably flat and stable; the vinyl flooring meets the base units and the kitchen units and appliances are secure and stable.

Reasons for the Decision

On 5 August 2015, the Surveyor Member of the Committee carried out a third re-inspection of the House. Two previous re-inspections had been carried out on 29 August 2014 and 15 April 2015 on which occasions the works required by the RSEO were found not to have been fully completed.

Having regard to the requirements of the RSEO:

1. A report from a specialist contractor who is expert in the treatment of timber as to the cause of the problems with the flooring in the House and as to the remedial works required has been provided.
2. At the date of the third re-inspection the flooring was still found to be uneven however no significant movement in the floor structure was observed. The correspondence provided by Hampton Building Services Limited in November 2014 and the photographs provided by the landlord would appear to confirm that the defective under-floor timbers have been replaced.
3. The kitchen floor is not precisely level and although the kitchen fittings are not fully square they are an improvement on their previous condition. The linoleum remains poorly fitting near to the kitchen door and the cooker has been removed. These are regarded as relatively minor matters and the Committee regards the works as completed in all material respects.

Accordingly, all works required by the RSEO have been completed.

Observation

The House appears to have been re-let in spite of the existence of the RSEO. Such conduct would constitute a criminal offence.

Right of Appeal

Section 64 of the Act provides a right of appeal to a landlord or tenant aggrieved by a decision of a private rented housing committee. An

appeal may be made to the Sheriff within 21 days of the Landlord or Tenant being informed of the decision.

Where such an appeal is made, the effect of the decision and 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.

J MCHUGH

John McHugh
Chairperson

Date: 25 August 2015