



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

PRHP/RP/15/0159

Title Number: DMF22526

Re: The residential dwellinghouse at

**The Knowe Farmhouse
The Knowe Estate
Kirkconnel
Sanquhar
Dumfries
DG4 6NN**

("the Property")

The Parties:-

Mr Barry Parker and Mrs Agnes Parker

formerly residing at the Property

("the Tenants")

and

**Inkersall Investments Ltd
Challenge House
46 Nottingham Road
Mansfield
Nottinghamshire
NG18 1BL**

("the Landlords")

The Committee comprised:

**Mr Ron Handley – Chairperson
Mr Mike Links – Surveyor**

CERTIFICATE OF COMPLETION

The Private Rented Housing Committee hereby certifies that the work required by the Repairing Standard Enforcement Order ("the RSEO") dated 26 August 2015 relative to the Property has been completed. Accordingly the RSEO has been discharged.

A Landlord(s) or Tenant(s) 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 these pages are subscribed by Ronald G Handley, Solicitor, chairperson of the Private Rented Housing Committee at Dunbar on 1 December 2015 before this witness:-
J. HANDLEY

R. HANDLEY

Witness

Chairperson

JANE HANDLEY

Name in full

23 LESLIE WAY, DUNBAR

Address of Witness

EAST LOTMAN.



**Statement of Reasons of the Private Rented
Housing Committee under Section 24 (1) of the
Housing (Scotland) Act 2006**

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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 26 August 2015 ("the RSEO") and the Committee now discharges the RSEO.

Background

1. On 20 May 2015 the Tenants applied to the Private Rented Housing Panel ("the PRHP") for a determination as to whether or not the Landlords had failed to comply with the duties imposed by Section 14(1) (b) of the Housing (Scotland) Act 2006 ("the Act").
2. On 18 June 2015 the President of the PRHP referred the application to the Committee.

The Application

3. In their application the Tenants alleged that the Landlords had failed to comply with the duty to ensure that the Property met the Repairing Standard (as defined in the Act). In particular it was submitted:
 - the Landlords had not instructed a qualified or certified electrician to check the wiring within the Property;
 - there was no light in the upstairs bathroom;
 - there was dampness in the kitchen wall;
 - the backdoor should be replaced;
 - the front door required to be repaired;
 - there was an excessive draught from all the doors within the Property;
 - the nest and ash container in the coal fire in the living room were in a poor state of repair;
 - that when the coal fire in the living room was used, smoke would come from the chimney stack and the gable wall;
 - that when the coal fire in the downstairs bedroom was used, smoke would come through the roof;
 - there were problems with some of the windows;
 - the tenant in a neighbouring property had been involved in criminal activities which had impacted on the Tenants.

The Inspection

4. The Committee inspected the Property at 10.00 hrs on 17 August 2015. The Tenants were present at the inspection as was Mr Woodcock on behalf of the Landlords. The Committee reminded the Tenants that it could only take account of the issues as detailed in the application (and which had been duly intimated to the Landlords).

The Hearing

5. A Hearing was arranged to take place after the inspection at 11.00 hrs in the offices of Dumfries and Galloway Customer Services, 100 High Street, Sanquhar. The Tenants attended the Hearing as did Mr Woodcock.

Findings

6. The Committee found the following facts to be established:
 - The Property is a two storey dwelling house. The Property had oil fired central heating.
 - On 25 April 2014 the Tenants and the Landlords entered into a Tenancy Agreement that related to the Property.
 - The installations within the Property for the supply of electricity were in a reasonable state of repair and are in proper working order.
 - The light in the upstairs bathroom was in proper working order.
 - There was dampness in the kitchen wall (gable end).
 - Since the date of the Tenant's application, the backdoor had been replaced and is in proper working order.
 - The storm door was in a reasonable state of repair.
 - The internal doors within the Property were in a reasonable state of repair and were in proper working order.
 - Since the date of the application a new flue liner had been installed in the coal fire in the lounge. A new nest and ash bucket had been provided by the Landlords. A number of fire bricks had been removed from the fireplace and required to be replaced before the fire could be used.
 - Since the date of the Tenants' application, works had been carried out to the coal fire in the downstairs bedroom. The coal fire was in a reasonable state of repair and in proper working order.
 - Since the date of application the windows within the Property had been replaced and were in proper working order.
 - There were three hard wired smoke detectors within the Property. They were all in proper working order.
7. The Committee found that the Repairing Standard had not been met and the Committee proceeded to make an RSEO. The Committee required the Landlords to carry out such works as were necessary for the purposes of ensuring that the Property met the Repairing Standard and that any damage caused by the carrying out of any work in terms of the RSEO was made good.
8. In particular the Committee required the Landlords to carry out an inspection of the kitchen wall (the gable end wall) to identify the source

of dampness and to carry out such works as were necessary to eradicate the dampness. The Committee ordered that the works specified in the RSEO be carried out and completed within the period of two months from the date of service of the Notice.

The Re-inspection

- 9. On 2 November 2015 the Surveyor Member re-inspected the Property at 10.10 hours. The Tenants were no longer residing in the Property. Following the re-inspection a Report was issued to the Landlords with a request for any comments.
- 10. In response the Landlords advised that a roofing contractor had been engaged to attend to the gable end. The contractor had subsequently advised that the only point of water ingress could be via the top flue. To that end the chimney pot had been removed and a clay mushroom vent cap fitted. The chimney stack had also been re-flaunched. The top of the corbelled stonework to the stack had also been repointed. An invoice from the contractor was made available.

Decision

- 11. The Committee noted that at the time of the Re-inspection there was still dampness in the kitchen wall (gable end). However the Committee accepted that it could take some months for the area to dry out. The Committee had no reason to doubt that remedial works had been carried out (as confirmed by the contractor's invoice).
- 12. The Committee determined that the Landlords had complied with the RSEO and that the necessary remedial works had been executed. The Repairing Standard had been met. The Committee agreed to discharge the RSEO.
- 13. The decision of the Committee was unanimous.

Right of Appeal

- 14. A Landlord(s) or Tenant(s) 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 of the Act

- 15. 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
Chairperson

..... Date 1 December 2015