



PRIVATE RENTED HOUSING COMMITTEE

STATEMENT OF DECISION OF THE PRIVATE RENTED HOUSING COMMITTEE UNDER SECTION 26(1)) OF THE PRIVATE RENTED HOUSING PANEL (APPLICATIONS AND DETERMINATIONS)(SCOTLAND) REGULATIONS 2007

In connection with

THE PROPERTY

Flat 10, 19 Quarry Street, Hamilton, ML3 7DR, registered in the Land Register for Scotland under title number LAN138964

THE PARTIES

Ms Wilma McCafferty, residing at the Property, per Fiona Brown, Shelter Glasgow
Advisory Services, 274 Sauchiehall Street, Glasgow G2 3EH (tenant)

and

Mr Paul Guisti, Flat 3, 185 Quarry Street, Hamilton ML3 6QR per Wigwam Letting &
Property, PO Box 26299, Hamilton, ML3 3AG (landlord)

PRHP Ref: RP/15/0222

Decision

The Committee, having made such enquiries as is fit for the purposes of determining whether the Landlord has complied with the terms of the Repairing Standard Enforcement Order (hereinafter referred to as "RSEO") dated 8 October 2015 in terms of section 26 (1) of the Housing (Scotland) Act 2006 (hereinafter referred to as "the Act") determined that the terms of the RSEO have been complied with and granted a Certificate of Completion to the effect of discharging the RSEO.

Committee Members: David M Preston (Legal Member); George Campbell (Surveyor Member); Elaine Munroe (General Member).

Background

1. Reference is made to the Determination of the Committee dated 8 October 2015 which decided that the Landlord had failed to comply with the duty imposed by Section 14(1)(b) of the Housing (Scotland) Act 2006 ("the Act") and the RSEO made by the Committee which required the Landlord to carry out works as specified therein.

2. By email dated 18 November 2015 the landlord submitted a letter from Butterfield Property dated 17 November 2015 which advised that they had arranged for an engineer to attend the property to inspect the immersion heater. The letter referred to a report from the engineer which had not been enclosed with the letter.
3. On 19 November 2015 the landlord submitted a report dated 18 November advising that an inspection had been carried out and that no problems had been found with the immersion heater. It also advised that the tenant had been instructed in the use of the immersion heater.
4. The terms of the report were intimated to the tenant on 24 November 2015 for her comments.
5. In the absence of: any objection or representation by either party to the recommendation contained in the report; and any reason for not so doing, the Committee was satisfied that the specified works had been completed and determined to grant a Certificate of Completion to the effect of discharging the Order.
6. The decision of the Committee was unanimous.

Right of Appeal

A landlord or tenant has the right to appeal this decision to the Sheriff by summary application within 21 days of being notified of that decision.

Effect of section 63

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.

09-Dec-15

D. PRESTON



CHAIRMAN

Signed by: David M Preston



PRIVATE RENTED HOUSING COMMITTEE

Certificate of Completion of Work

Issued by the Private Rented Housing Committee

Under section 60 of the Housing (Scotland) Act 2006

In connection with

THE PROPERTY

Flat 10, 19 Quarry Street, Hamilton, ML3 7DR, registered in the Land Register for Scotland under title number LAN138964

THE PARTIES

**Ms Wilma McCafferty, residing at the Property, per Fiona Brown, Shelter Glasgow Advisory Services, 274 Sauchiehall Street, Glasgow G2 3EH
(tenant)**

and

**Mr Paul Guisti, Flat 3, 185 Quarry Street, Hamilton ML3 6QR per Wigwam Letting & Property, PO Box 26299, Hamilton, ML3 3AG
(landlord)**

PRHP Ref: RP/15/0222

The Private Rented Housing Committee hereby certifies that the work required by the Repairing Standard Enforcement Order relative to the Property dated 8 October 2015 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 are executed as follows:-

D. PRESTON

D. TOVEY

Chairman

Witness

25-11-15

Date of Signing

Name

DANI TOVEY

Address

Edinburgh

Place of Signing

CLERWOOD HOUSE
96 CLERKINSON ROAD
EDINBURGH, EH2 9UT