



DETERMINATION BY PRIVATE RENTED HOUSING COMMITTEE

Statement of Decision of the Private Rented Housing Committee under section 26(1) of the Housing (Scotland) Act 2006

Re 285C Rosemount Place, Aberdeen, AB25 2YB being the subjects described in the Disposition by the executor of Graham Murdoch Calder in favour of Alexander James MacPherson and Ruth Isobel MacPherson recorded in the division of the General Register of Sasines for the County of Aberdeen on 5th July 1995 ('the Property')

The Parties:-

Ms Susan Hay residing formerly at 285C Rosemount Place, Aberdeen, AB25 2YB and now at 14C Short Loanings, Aberdeen, AB25 2TZ ('The Tenant')

Alexander MacPherson and Mrs Ruth MacPherson residing at Manse of Buchanan, Drymen, Glasgow, G63 0AQ ('The Landlords')

REF:PRHP/RP/15/0168

The Committee members were Jacqui Taylor (Chairperson), Ian Mowatt (Surveyor Member).

Background

1. On 8th October 2015 the Private Rented Housing Committee ('the Committee') issued a Determination which stated that the Landlords 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 Landlords to:-
 - (1) Replace the missing carpets or flooring in the kitchen and bathroom.
 - (2) Repair or replace the cooker and washing machine.
 - (3) Reinststate all broken and/ or loose kitchen unit doors and drawers to render the kitchen units in proper working order.
 - (4) Provide a valid Gas Safety Certificate.
 - (5) Provide a valid Electrical Installation Condition Report and a valid electrical PIR certificate confirming that the electrical installations in the Property (including the repaired or replaced cooker and washing machine) are in proper working order.
3. The Private Rented Housing Committee ordered that the works specified in the RSEO were to be carried out and completed by 27th November 2015. This date was subsequently extended to 10th December 2015.
4. On 13th January 2016 the surveyor member of the Committee attended at the Property for the purpose of ascertaining whether the said repairs required by the RSEO had been completed. He found that the works specified in clauses (1),(2),(3) and (4) of the RSEO had been satisfactorily carried out. However the works specified in clause (5) not been

carried out and had not been satisfactorily completed. Reference is made to the Report by the surveyor member dated 21st January 2016 and the electrical Installation Condition Report dated 8th January 2016 attached.

Decision and Reasons

5. The Committee having made such necessary enquiries as it deemed necessary for the purposes of determining whether the Landlords have complied with the Repairing Standard Enforcement Order, in relation to the Property concerned, determined that the Landlords have failed to comply with the RSEO and that a notice of the failure be served on the Local Authority in which the Property is situated.

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.

Jacqui Taylor

Signed
Chairperson

Date: 11th February 2016



11/2/16
Jacqui Taylor

PRHP Re-inspection Report

Property 285C Rosemount Place, Aberdeen AB25 2YB

Ref no: PRHP/RP/15/0168

Surveyor : Mr Ian Mowatt

Access: The property was re-inspected on 13th January 2016 at 11.00 am. Access was given by the landlord's recently appointed agent, Ms Wendy Deans of Homeguard Leasing Limited. No other parties were present. The flat is currently unoccupied and the previous tenancy has been terminated.

The weather conditions were dry and bright.

RSEO: (1) Replace the missing carpets or flooring in the kitchen and bathroom.

(2) Repair or replace the cooker and washing machine.

(3) Reinstate all broken and or loose kitchen unit doors and drawers to render the kitchen units in proper working order.

(4) Provide a valid Gas Safety Certificate.

(5) Provide a valid Electrical Installation Condition Report and a valid PIR certificate confirming that the electrical installations in the property (including the repaired or replaced cooker and washing machine) are in proper working order.

Works in RSEO undertaken:

(1) New replacement vinyl flooring has been provided in the kitchen and bathroom.

(2) The original cooker and washing machine have been replaced with what appear to be new appliances. The committee surveyor member turned on the mains power to confirm connection of the appliances but no further testing was carried out.

(3) There is a replacement newly fitted kitchen within the property and the installation of the kitchen fittings appears to have been completed and in proper working order.

(4) A Domestic/Landlord Gas Safety Record, which was prepared by Kelgas UK Limited Gas Safe registered engineers, dated 14th December 2015 was made available for inspection by the surveyor member of the committee.

(5) An Electrical Installation Condition Report dated 8th January 2016, was made available to the surveyor member of the committee. This was prepared by Electro-Tek, members of Select, Electrical Contractors' Association of Scotland. Although the general condition of the installation, in terms of electrical safety, is described in summary as being "in good working condition" it is noted within the report that there are "potentially dangerous" (Code C2) conditions present with "urgent remedial action required". This has resulted in the electrician's overall assessment of the installation, in terms of its suitability for continued use, being stated in the report as "unsatisfactory".

Works in RSEO outstanding:

As referred to above in item (5) of Works in RSEO Undertaken, there are outstanding electrical works, within the Electrical Installation Condition Report, which are deemed to be potentially dangerous and requiring urgent remedial action in order to ensure safety.

Further Comments:

Since the previous Private Rented Housing Panel inspection, dated 29th September 2015, it has been noted that general upgrading of the flat has been carried out.

Photographs, which were taken during the re-inspection, are contained within the attached Schedule.

This report will be submitted to the full Committee of the Private Rented Housing Panel for their decision.

Ian Mowatt BSc FRICS
Committee Surveyor Member
Private Rented Housing Panel
21st January 2016



1: Replacement kitchen floor covering



2: Replacement bathroom floor covering



3: Replacement cooker



4: Replacement washing machine



5: Replacement kitchen fittings



ELECTRICAL INSTALLATION CONDITION REPORT

(REQUIREMENTS FOR ELECTRICAL INSTALLATIONS
— BS 7671 (IET WIRING REGULATIONS))

SELECT
MEMBERSHIP
NUMBER
5064

This certificate is not valid if the
number is defaced or altered

EICR 010651

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SECTION A. DETAILS OF THE CLIENT / PERSON ORDERING THE REPORT

Name: Homeguard Property Leasing
Address: 15 Rosemount Place, Aberdeen

SECTION B. REASON FOR PRODUCING THIS REPORT

Reason: Periodic inspection
Date(s) on which inspection and testing was carried out: 8.01.16

SECTION C. DETAILS OF THE INSTALLATION WHICH IS THE SUBJECT OF THIS REPORT

Occupier:
Address: 285 Rosemount Place, Aberdeen
Description of premises (Tick as appropriate): Domestic Commercial Industrial Other
Estimated age of the wiring system: 15 years. Evidence of additions or alterations Yes No Not apparent
If "Yes" estimate age: 5 years. Installation records available? (Regulation 621.1) Yes No Date of last inspection:

SECTION D. EXTENT AND LIMITATIONS OF INSPECTION AND TESTING

Extent of the electrical installation covered by this report: Full installation
Agreed limitations including the reasons (Regulation 634.2): N/A

Agreed with (name): N/A
Operational limitations including the reasons: N/A

The inspection and testing detailed in this report and accompanying schedules have been carried out in accordance with BS 7671:2008 (IET Wiring Regulations), as amended to 2008. It should be noted that cables concealed within trunking and conduits, under floors, in roof spaces, and generally within the fabric of the building or underground have not been inspected unless specifically agreed between the client and inspector prior to the inspection. An inspection should be made within an accessible roof space housing other electrical equipment.

SECTION E. SUMMARY OF THE CONDITION OF THE INSTALLATION

General condition of the installation (in terms of electrical safety): in good working condition

Overall assessment of the installation in terms of its suitability for continued use
~~SATISFACTORY~~ **UNSATISFACTORY*** (Delete as appropriate)
*An unsatisfactory assessment indicates that dangerous (code C1) and/or potentially dangerous (code C2) conditions have been identified.

SECTION F. RECOMMENDATIONS

Where the overall assessment of the suitability of the installation for continued use above is stated as UNSATISFACTORY, I/we recommend that any observations classified as 'Danger present' (code C1) or 'Potentially dangerous' (code C2) are acted upon as a matter of urgency. Investigation without delay is recommended for observations identified as 'Further investigation required' (code FI). Observations classified as 'Improvement recommended' (code C3) should be given due consideration. Subject to the necessary remedial action being taken, I/we recommend that the installation is further inspected and tested by 1/2/16 (date)

SECTION G. DECLARATION

I/We, being the person(s) responsible for the inspection and testing of the electrical installation (as indicated by my/our signatures below), particulars of which are described above, having exercised reasonable skill and care when carrying out the inspection and testing, hereby declare that the information in this report, including the observations and the attached schedules, provides an accurate assessment of the condition of the electrical installation taking into account the stated extent and limitations in Section D of this report.

Inspected and tested by: Name (Capitals) <u>R. BRANDS</u> Signature: <u>Ryan Brands</u> For/on behalf of <u>Electro-Tek</u> Position <u>Electrician</u> Address <u>Ornard Grove, Kinnear</u> Date <u>8.1.16</u>	Report authorised for issue by: Name (Capitals) Signature For/on behalf of Position Address Date
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SECTION H. SCHEDULE(S)

..... schedule(s) of inspection and schedule(s) of test results are attached.
The attached schedule(s) are part of this document and this report is valid only when they are attached to it.

OUTCOMES	Acceptable condition	✓	Unacceptable condition	State C1 or C2	Improvement recommended	State C3	Further investigation	FI	Not verified	NV	Limitation	LIM	Not applicable	N/A
ITEM No.	DESCRIPTION													OUTCOME
														Use codes above. Provide additional comment where appropriate. C1,C2,C3 and FI coded items to be recorded in Section K of the Condition Report
1.0	DISTRIBUTOR'S / SUPPLY INTAKE EQUIPMENT													
1.1	Condition of service cable													✓
1.2	Condition of service head													✓
1.3	Condition of distributor's earthing arrangement													✓
1.4	Condition of meter tails – Distributor/Consumer													✓
1.5	Condition of metering equipment													✓
1.6	Condition of isolator (where present)													N/A
2.0	PRESENCE OF ADEQUATE ARRANGEMENTS FOR OTHER SOURCES SUCH AS MICROGENERATORS (551.6; 551.7)													
3.0	EARTHING / BONDING ARRANGEMENTS (411.3; Chapter 54)													
3.1	Presence and condition of distributor's earthing arrangement (542.1.2.1; 542.1.2.2)													✓
3.2	Presence and condition of earth electrode connection where applicable (542.1.2.3)													N/A
3.3	Provision of earthing / bonding labels at all appropriate locations (514.13.1)													✓
3.4	Confirmation of earthing conductor size (542.3; 543.1.1)													✓
3.5	Accessibility and condition of earthing conductor at main earthing terminal (MET) (543.3.2)													✓
3.6	Confirmation of main protective bonding conductor sizes (544.1)													C2
3.7	Condition and accessibility of main protective bonding conductor connections (543.3.2; 544.1.2)													✓
3.8	Accessibility and condition of other protective bonding connections (543.3.2)													✓
4.0	CONSUMER UNIT(S) / DISTRIBUTION BOARD(S)													
4.1	Adequacy of working space / accessibility to consumer unit / distribution board (132.12; 513.1)													✓
4.2	Security of fixing (134.1.1)													✓
4.3	Condition of enclosure(s) in terms of IP rating etc (416.2)													✓
4.4	Condition of enclosure(s) in terms of fire rating etc (421.1.201; 526.5)													✓
4.5	Enclosure not damaged/deteriorated so as to impair safety (621.2(iii))													✓
4.6	Presence of main linked switch (as required by 537.1.4)													✓
4.7	Operation of main switch (functional check) (612.13.2)													✓
4.8	Manual operation of circuit-breakers and RCDs to prove disconnection (612.13.2)													✓
4.9	Correct identification of circuit details and protective devices (514.8.1; 514.9.1)													✓
4.10	Presence of RCD quarterly test notice at or near consumer unit / distribution board (514.12.2)													✓
4.11	Presence of non-standard (mixed) cable colour warning notice at or near consumer unit / distribution board (514.14)													✓
4.12	Presence of alternative supply warning notice at or near consumer unit / distribution board (514.15)													N/A
4.13	Presence of other required labelling (please specify) (Section 514)													N/A
4.14	Examination of protective device(s) and base(s); correct type and rating (no signs of unacceptable thermal damage, arcing or overheating) (421.1.3)													✓
4.15	Single-pole switching or protective devices in line conductors only (132.14.1; 530.3.2)													✓
4.16	Protection against mechanical damage where cables enter consumer unit / distribution board (522.8.1; 522.8.11)													✓
4.17	Protection against electromagnetic effects where cables enter consumer unit / distribution board / enclosures (521.5.1)													N/A
4.18	RCD(s) provided for fault protection - includes RCBOs (411.4.9; 411.5.2; 531.2)													✓
4.19	RCD(s) provided for additional protection - includes RCBOs (411.3.3; 415.1)													✓
4.20	Confirmation of indication that SPD is functional (534.2.8)													✓
4.21	Confirmation that ALL conductor connections, including connections to busbars, are correctly located in terminals and are tight and secure (526.1)													✓
4.22	Adequate arrangements where a generating set operates as a switched alternative to the public supply (551.6)													N/A
4.23	Adequate arrangements where a generating set operates in parallel with the public supply (551.7)													N/A



CONDITION REPORT INSPECTION SCHEDULE (CONTINUED)

EICR 010651

OUTCOMES	Acceptable condition ✓	Unacceptable condition	State C1 or C2	Improvement recommended	State C3	Further investigation	FI	Not verified	NV	Limitation	LIM	Not applicable	N/A
ITEM No.	DESCRIPTION											OUTCOME	
												Use codes above. Provide additional comment where appropriate. C1,C2,C3 and FI coded items to be recorded in Section K of the Condition Report	
5.0	DISTRIBUTION / FINAL CIRCUITS												
5.1	Identification of conductors (514.3.1)											✓	
5.2	Cables correctly supported throughout their run (522.8.5)											✓	
5.3	Condition of insulation of live parts (416.1)											✓	
5.4	Non-sheathed cables protected by enclosure in conduit, ducting or trunking (521.10.1)												
	a) To include the integrity of conduit and trunking systems (metallic and plastic)											N/A	
5.5	Adequacy of cables for current-carrying capacity with regard for the type and nature of installation (Section 523)											✓	
5.6	Coordination between conductors and overload protective devices (433.1; 533.2.1)											✓	
5.7	Adequacy of protective devices: type and rated current for fault protection (411.3)											✓	
5.8	Presence and adequacy of circuit protective conductors (411.3.1.1; 543.1)											✓	
5.9	Wiring system(s) appropriate for the type and nature of the installation and external influences (Section 522)											✓	
5.10	Concealed cables installed in prescribed zones (see Section D. <i>Extent and limitations</i>) (522.6.202)											✓	
5.11	Cables concealed under floors, above ceilings or in walls/partitions, adequately protected against damage (see Section D. <i>Extent and limitations</i>) (522.6.201; 522.6.204)											✓	
5.12	Provision of additional protection by RCD not exceeding 30 mA												
	a) for all socket-outlets of rating 20 A or less, unless an exception is permitted (411.3.3)											✓	
	b) for supply to mobile equipment not exceeding 32 A rating for use outdoors (411.3.3)											N/A	
	c) for cables concealed in walls at a depth of less than 50 mm(522.6.202; 522.6.203)											✓	
	d) for cables concealed in walls/partitions containing metal parts regardless of depth (522.6.203)											✓	
5.13	Provision of fire barriers, sealing arrangements and protection against thermal effects (Section 527)											✓	
5.14	Band II cables segregated / separated from Band I cables (528.1)											✓	
5.15	Cables segregated / separated from communications cabling (528.2)											✓	
5.16	Cables segregated / separated from non-electrical services (528.3)											✓	
5.17	Termination of cables at enclosures - indicate extent of sampling in Section D of the report (Section 526)												
	a) Connections soundly made and under no undue strain (526.6)											✓	
	b) No basic insulation of a conductor visible outside enclosure (526.8)											✓	
	c) Connections of live conductors adequately enclosed (526.5)											✓	
	d) Adequately connected at point of entry to enclosure (glands, bushes etc.) (522.8.5)											✓	
5.18	Condition of accessories including socket-outlets, switches and joint boxes (621.2 (iii))											✓	
5.19	Suitability of accessories for external influences (512.2)											✓	
5.20	Adequacy of working space / accessibility to equipment (132.12; 513.1)											✓	
5.21	Single-pole switching or protective devices in line conductors only (132.14.1; 530.3.2)											✓	
6.0	LOCATION(S) CONTAINING A BATH OR SHOWER												
6.1	Additional protection for all low voltage (LV) circuits by RCD not exceeding 30 mA (701.411.3.3)											✓	
6.2	Where used as a protective measure, requirements for SELV or PELV met (701.414.4.5)											N/A	
6.3	Shaver sockets comply with BS EN 61558-2-5 formerly BS 3535 (701.512.3)											N/A	
6.4	Presence of supplementary bonding conductors, unless not required by BS 7671:2008 (701.415.2)											C3	
6.5	Low voltage (e.g. 230 volt) socket-outlets sited at least 3 m from zone 1 (701.512.3)											✓	
6.6	Suitability of equipment for external influences for installed location in terms of IP rating (701.512.2)											✓	
6.7	Suitability of accessories and control gear etc. for a particular zone (701.512.3)											✓	
6.8	Suitability of current-using equipment for particular position within the location (701.55)											✓	
7.0	OTHER PART 7 SPECIAL INSTALLATIONS OR LOCATIONS												
7.1	List all other special installations or locations present, if any. (Record separately the results of particular inspections applied.)											N/A	

Inspected by: NAME (CAPITALS) R. BRANDS Signature Ryan Brands Date 8-1-16



CIRCUIT CHART AND SCHEDULE OF TEST RESULTS (18 CIRCUITS)

EICR 010651

Distribution Board Reference No. D.B.1
Location and Type HALL N-LEVEL / MK

Details of circuits and/or installed equipment vulnerable to damage when testing
Lighting circuit

Z_s at DB 0.29 Ω
I_p at DB 0.67 kA
Supply polarity confirmed

Phase sequence confirmed (where appropriate)

CIRCUIT DETAILS

No.	Circuit Description	No. of Points	Wiring Details			Overcurrent Device Breaking Capacity			Continuity			Insulation Resistance (Lowest values measured)			Polarity	Z _s	RCD Protection			Functional testing	Remarks		
			Type (see code below)	Ref. Method	csa	Type	Amps	R ₁ +R ₂	R ₂	Ring Final Circuit			MΩ				I _{Δn}	mA	100%			*500%	
										Live	CPC	mm ²	L-L	N-N									CPC-CPC
1	Smoke Alarms	3	A	3	1.5	60878	6	0.77	-	-	-	-	-	-	0.55	30	291	19.6	✓				
2	Lights	6	A	3	1.5	60878	6	0.39	-	-	-	-	-	-	0.69	30	"	"	✓				
3	Heating	1	A	3	2.5	60878	16	0.10	-	-	-	-	-	-	0.36	30	"	"	✓				
4	Cooper	2	A	3	6.0	60878	32	0.05	-	-	-	-	-	-	0.33	30	"	"	✓				
5	Switches	13	A	3	1.5	60878	32	0.14	-	0.25	0.30	-	-	-	0.50	30	277	16.8	✓				
6	Shower	1	A	3	6.0	60878	40	0.18	-	-	-	-	-	-	0.46	30	"	"	✓				

† Insert Reference Method (see Table 4A2 from BS 7671 Appendix 4)

*30mA RCDs only

Code for Wiring Type	A	B	C	D	E	F	G	H	O (Other - please specify)
PVC/PVC	PVC in Metal Conduit	PVC in Plastic Conduit	PVC in Metal Trunking	PVC in Plastic Trunking	PVC/SWA	XLPE/SWA	Mineral Insulated		

TEST INSTRUMENTS USED

Manufacturer	Type	Serial No.	Date Accuracy Verified	Manufacturer	Type	Serial No.	Date Accuracy Verified
KenTech	Multi	22817011615					

