



Certificate of completion of work

Issued by the Private Rented Housing Committee

Under section 60 of the Housing (Scotland) Act 2006

prhp Ref: prhp/rp/15/0136

Re : Property at 9 Lothian Court, Glenrothes, Fife KY6 1LZ (“the Property”)

Land Register No: FFE57171

The Parties:-

Ms Donna Robb, 9 Lothian Court, Glenrothes, Fife KY6 1LZ (“the Former Tenant”)

Mr Stanley Craig, care of Messrs Innes Johnston & Co, 32 North Street, Glenrothes, Fife KY7 5NA (“the Former Landlord”)

New Owner George Wilson and Pamela Wilson, 2 Northmuir Place, Glenrothes, KY74DF

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 17 August 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 type written on this and the preceding page are executed by Judith V Lea, solicitor, Cupar, Fife, chairperson of the Private Rented Housing Committee at Cupar on 18 September 2016 before this witness:-

M Finnie

_____ witness

Matthew Finnie
2 Balgownie Road
Bridge of Don
Aberdeen

J Lea

_____ chairman



Statement of facts and reasons for

Decision to grant Certificate of completion of work

Under section 60 of the Housing (Scotland) Act 2006

prhp Ref: prhp/rp/15/0136

Re : Property at 9 Lothian Court, Glenrothes, Fife KY6 1LZ (“the Property”)

Land Register No: FFE57171

The Parties:-

Ms Donna Robb, 9 Lothian Court, Glenrothes, Fife KY6 1LZ (“the Former Tenant”)

Mr Stanley Craig, care of Messrs Innes Johnston & Co, 32 North Street, Glenrothes, Fife KY7 5NA (“the Landlord”)

Statement of facts and reasons.

Background

1. On 17 August 2015, the Private Rented Housing Committee (comprising Judith Lea, Chairman and Legal Member and Geraldine Wooley, Surveyor Member) issued a decision requiring the Landlord to comply with the Repairing Standard Enforcement Order made by the Committee on 12 August 2015. The Repairing Standard Enforcement Order required the Landlord to:
 - (1) Close off or create a safety barrier between the end of the decking and the boundary fence to ensure it is safe;
 - (2) Investigate and resolve the structural problems in the living room in order to ensure that the floor and the external walls are in a reasonable state of repair;
 - (3) Repair/replace the bath and make good the seals to ensure they are in a reasonable state of repair;
 - (4) Repair the door on the bathroom sink cupboard to ensure it is in a reasonable state of repair;
 - (5) Install a threshold plate in the kitchen doorway; and

- (6) Repair the seals at the kitchen sink.
2. On 9 October 2015, the surveyor member of the Committee re-inspected the property. The Tenant was present.
 3. The surveyor member noted that a section of decking timber has been inserted between the main deck and fence which blocks off most of the gap, although a space of 50mm remains. The surveyor member noted that a new handrail had also been installed to the steps from the deck to the garden. In the bathroom, the bath has been replaced with a new bath and the sealant and tiling made good and a new cupboard has been installed. In the kitchen, the splashback to the sink has been properly sealed and the floor to the side of the sink has been repaired and a new threshold plate has been fitted to the kitchen door. The work done is shown in the photographs attached to this decision.
 4. The Committee was accordingly satisfied that the Landlord had complied with items 1, 3, 4, 5 and 6 of the Repairing Standard Enforcement Order. The surveyor member however noted that no serious efforts had been made to address the structural problems in the living room. The surveyor member noted that the Landlord had attempted to address the problem by filling the gaps in the door slab with insulating material. The surveyor member considered that the work did not address the structural issue and was ineffective as many gaps were remaining and insects were still entering the property. Further cracks were found in the living room floor, all as shown in the attached photographs.
 5. The Landlord commissioned a Visual Structural Inspection and a report dated 6 November 2015 has been provided to the Committee. This report makes various recommendations to the Landlord in connection with works which should be carried out. Given that the Landlord has rectified most of the items contained in the Repairing Standard Enforcement Order and given that the Landlord was clearly taking steps to investigate the structural problem in the living room, the Committee consider it reasonable to vary the Order to allow the Landlord until the end of February 2016 to resolve the structural problems in the living room.
 6. The surveyor member of the Committee re-inspected the property on 26 April 2016. The Landlord had commissioned a visual structural inspection and report dated 6 November 2015 indicating that the structural problems may be caused by a chemical reaction in the concrete due to the aggregate use. The Landlord had sought a quotation for further investigation which was to cost approximately £5,000 for tests. The Landlord decided at this point not to proceed with the work as it was too expensive. Accordingly no further work had been done since the previous inspection. The property accordingly continued to fail to meet item 2 of the Repairing Standard Enforcement Order made by the Committee on 12 August 2015. The surveyor member noted that in addition there is now a hole in the kitchen ceiling which may indicate a reoccurrence of problems in the bathroom above.

7. The Landlord was considering how to proceed. The property was not let, the tenant had vacated the property. In the circumstances the Committee considered it reasonable to allow the Landlord a further period of four months to decide how to proceed .
8. The surveyor member of the Committee carried out a third re inspection on 31 August 2016. The property was on the market (it has now been sold). No one was in attendance at the re inspection. The landlord had carried out repairs to the living room floor, evidenced by a new screed laid, the crack at the threshold filled , the carpet re-laid with new underlay and the wall under the window cleaned and free from mildew. The hole in the kitchen ceiling had also been repaired. Photographs are attached as Appendix 1.
9. The Committee was accordingly satisfied that all works required by the RSEO had been satisfactorily carried out. Accordingly, the Committee decided to grant a Certificate of completion.

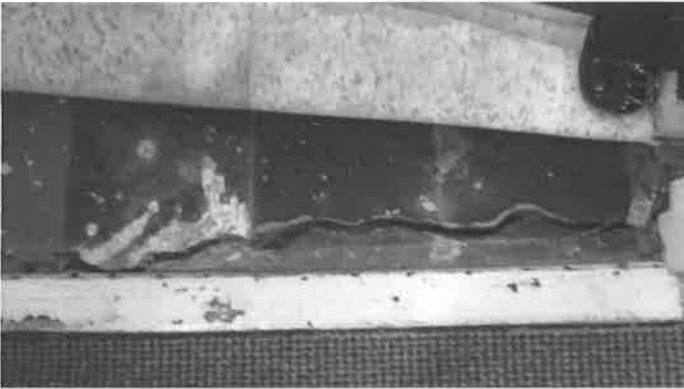
A landlord or a tenant aggrieved by this decision of the Private Rented Housing Committee may appeal to the Sheriff by summary application within 21 days of being notified of that decision.

Where such an appeal is made, the effect of the decision and the Certificate 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 Certificate are to be treated as having effect from the day on which the appeal is abandoned or so determined.

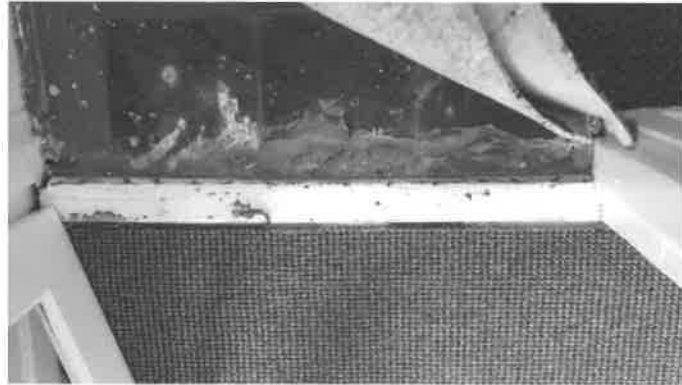
J Lea

Signed Date 18 September
(Judith V Lea, Chairperson) 2016

1. Crack to floor slab at living room threshold



1a) As at 26/04/16



1b) As at 1/09/16 – crack filled

2. Crack to floor slab below living room window



2a) As at 26/04/16 showing mildew

2b)



2c)



2b) & 2c) As at 1/09/16: floor slab under window – new screed laid and wall mildew -free

2d)



2e)



2d) & 2e) As at 1/09/16: evidence of new screed and carpet underlay



3a) As at 26/04/16: hole in kitchen ceiling under bathroom



3b) As at 1/09/16: kitchen ceiling repaired



4a) Kitchen floor at 5/08/15



4b) Kitchen floor at 1/09/16