



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/16/0042

Re: Property at 141 Broomfield Crescent, Edinburgh, EH12 7LU ("the Property")

Title No: MID11221

The Parties:-

PAULINE WINIFRED GILLIES, 19 Gordon Road, Edinburgh ("the Landlord")

MRS DEBORAH BRENCHLEY 141 Broomfield Crescent, Edinburgh, EH12 7LU (represented by her agent Ms Anna Mencil, Community Help & Advice Initiative, ELS House, 555 Gorgie Road, Edinburgh, EH11 3LE) ("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 dated 8 June 2016 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 Ewan Kenneth Miller, Solicitor, Whitehall House, 33 Yeaman Shore, Dundee, DD1 4BJ, Chairperson of the Private Rented Housing Committee at Dundee on 17 November 2016

before this witness:-

E Miller

_____ witness

_____ Chairman



Statement of decision of the Private Rented Housing Committee under the Housing (Scotland) Act 2006

prhp Ref: PRHP/RP/16/0042

Re: Property at 141 Broomfield Crescent, Edinburgh, EH12 7LU ("the Property")

The Parties:-

MRS DEBORAH BRENCHLEY formerly residing at 141 Broomfield Crescent, Edinburgh, EH12 7LU (represented by her agent Ms Anna Mencil, Community Help & Advice Initiative, ELS House, 555 Gorgie Road, Edinburgh, EH11 3LE) ("the Tenant")

PAULINE WINAFRED GILLIES, 19 Gordon Road, Edinburgh ("the Landlord")

Decision

The Private Rented Housing Committee, having made such enquiries as was appropriate for the purposes of determining whether the Landlord had complied with the Repairing Standard Enforcement Order ("RSEO") in relation to the Property concerned and taking account of the subsequent inspections by the Committee, determined that the Landlord had now complied with the terms of the RSEO and resolved to issue a Certificate of Completion in respect of the works required by the RSEO.

Background

1. By way of a Decision dated 8 June 2016, the Private Rented Housing Committee had issued a determination that the Landlord had failed to comply with the duties imposed by Section 14(1)(b) of the Housing (Scotland) Act 2006 ("the Act").
2. The Committee had placed an RSEO on the Property also dated 8 June 2016. The RSEO required the Landlord:-
 - (a) To carry out such works as are necessary to allow the issue of an unqualified electrical installation condition report with no items marked C1 or C2.
 - (b) To carry out such works of repair or replacement to the gas system within the Property to allow the issue of a clear and current gas safety certificate. The Landlord is also to carry out such works as are necessary to provide Thermostatic Radiator Valves on all radiators and to ensure that they are in proper working order.
 - (c) To carry out such works of repair or replacement to the windows to the Property to ensure that they are all capable of being opened and closed properly, capable of being properly locked and are otherwise properly wind and watertight.
 - (d) To install a door between the kitchen and hallway and also the lounge and the hallway.

- (e) To carry out such works of repair to the roof of the Property to ensure the Property is wind and watertight. The Landlord would also require to carry out any repairs around the Velux roof lights that are required.
- (f) To repair or replace the oven, hood and hob and to render them compliant with the repairing standard.
- (g) To carry out such works of repair or replacement to the plumbing system to ensure that it is in proper working order and all items are capable of being used correctly and safely.
- (h) To carry out such works of repair or replacement to the manhole cover in the front garden to ensure that it is in a safe and proper working order.
- (i) To replace the two concrete sills on the first floor rear elevation of the Property.
- (j) To repair or replace the garden shed at the Property and to ensure it is properly wind and watertight and capable of being used for storage.
- (k) To carry out appropriate works of redecoration and repair to the two small bedrooms within the Property and to ensure that they are compliant with the relevant building regulations.

The RSEO gave the Landlord a period of 2 months to carry out the works.

3. A reinspection of the Property was carried out by the Surveyor Member of the Committee Mr Robert Buchan on 10 August 2016. The Tenant was neither present nor represented, the tenancy having terminated. A John Meldrum and Kirsty Hall from Home Link were present and provided access as agents for the Landlord. The Surveyor Member of the Committee noted that electrical work had been undertaken, including the provision of a new consumer unit and both smoke and heat detectors.

At the time of the inspection a new window had been fitted in the main rear bedroom and a new window had been fitted in the kitchen.

New doors had been fitted to the kitchen and lounge.

The oven, hob and hood had been replaced.

A new bathroom suite had been installed.

Two new concrete windowsills had been provided to the rear windows. Replastering and redecoration had also been undertaken in the top two bedrooms.

Whilst it was clear that works had been carried out and were ongoing, the Committee noted that an electrical installation condition report had not been provided nor was it clear what work had been carried out to the central heating system. The Landlord's agents advised that a gas safety certificate and a report on the central heating system would be provided.

Although it was advised that the slater work had been repaired, viewed from ground level there still appeared to be missing slates on each side of the velux roof light. It was advised that a report on the condition of the slater work would be provided. No work had been carried out to the front manhole covers.

The timber garden shed was still in place although the surveyor member was advised that this was to be removed.

4. The Surveyor member of the Property again attended at the Property on 29 September 2016. No access was provided to the interior and the inspection was external only.

In the intervening period, a satisfactory electrical installation condition report had been provided dated 25 July 2016. A satisfactory gas safety record dated 27 June 2016 had also been provided. The front manhole covers had been properly landscaped and a new cover provided.

The Committee (comprising Mr E K Miller, Chairman and Legal Member and Mr R Buchan, Surveyor Member) considered matters. It appeared that the vast bulk of the works had been done and the Property was significantly improved. The only two remaining issues were firstly whether thermostatic radiator valves had been fitted. However an email of 19 August 2016 from the contractor had been received advising that the central heating system was working fully and effectively with control valves fitted. The Committee had no reason to disbelieve the contractor given that all the other works appeared to have been attended to properly. There did still appear to be some missing slates each side of the velux roof light. Again a contractor had advised that reslating had been carried out. The Committee was of the view that this was a *de minimis* issue.

Taking into account all the works had been carried out, the Committee was satisfied that the Property had been significantly improved and did now meet the repairing standard. Accordingly the Committee was satisfied that the RSEO should be lifted and a Certificate of Completion discharging the RSEO under Section 60 of the Act would be granted.

The Committee's decision was to lift the RSEO and grant a Certificate of Completion discharging the RSEO.

Decision

5. The decision of the Committee was unanimous.

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.

Signed Date 17/10/16
Chairperson [Signature]