



Certificate of Completion of Work

Under Section 60 of the Housing (Scotland) Act 2006

PRHP/RP/16/0056

Title Number: ANG36636

Re: The residential dwellinghouse at

**103 Strathmartine Road
3rd Floor Left
Dundee
DD3 7SD**

("the Property")

The Parties:-

**Miss Kim Ewart
residing at the Property**

("the Tenant")

**Mr Ben Prior and Mrs Sarah Prior
C/o Rockford Properties
50 Castle Street
Dundee
DD1 3AQ**

("the Landlords")

The Committee comprised:

**Mr Ron Handley – Chairperson
Ms Geraldine Wooley, Surveyor Member**

CERTIFICATE OF COMPLETION

The Private Rented Housing Committee hereby certifies that the work required by the Repairing Standard Enforcement Order ("the RSEO") dated 16 April 2016 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 27 August 2016 before this witness:-

<u>J Handley</u>	<u>R Handley</u>
Witness	Chairperson
<u>JANE HANOLEY</u>	Name in full
<u>23 LESLIE WAY, DUNBAR</u>	Address of Witness
<u>EH42 16F</u>	
<u>COLLECTOR MANAGER</u>	Occupation



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

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**Mr Ron Handley – Chairperson
Ms Geraldine Wooley, Surveyor Member**

The Committee's Decision

The Committee, having made such enquiries as it saw fit unanimously determined that the Landlords had complied with the requirements of the Repairing Standard Enforcement Order dated 16 April 2016 ("the RSEO") and the Committee now discharges the RSEO.

Background

1. In her application the Tenant 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). It was submitted that:
 - the Landlords had failed to ensure that the Property was wind and water tight and, in all other respects, reasonably fit for human habitation;
 - the structure and exterior of the Property was not in a reasonable state of repair and not in proper working order.

The Inspection

2. The Committee inspected the Property at 12:15 hrs on 7 April 2016. The Tenant was present throughout the inspection. The Landlords did not attend the inspection but were represented by Mr James Robertson (Rockford Properties).

The Hearing

3. A Hearing was arranged to take place after the inspection at 14.15 hrs in Kirkton Community Centre, Derwent Avenue, Dundee, DD3 0AX. There was no attendance by the Tenant or Mr Robertson (on behalf of the Landlords). No other persons attended the Hearing and consequently the Hearing did not proceed.

Findings

4. The Committee found the following facts to be established:
 - The Property is a top storey flat (3rd floor left) located in a block of tenement flats at 103 Strathmartine Road, Dundee DD3 7SD.
 - On or around 17 April 2015 the Tenant and the Landlords entered into a Tenancy Agreement that related to the Property.
 - The Property had recently been redecorated.
 - There was water ingress in the ceiling of the front facing bedroom.
 - The Property was not wind and watertight and the roof required to be repaired or replaced.
 - The Property did not meet the Repairing Standard.
5. The Committee concluded that the Property was not wind and water tight and did not meet the Repairing Standard. Consequently the Committee proceeded to make a RSEO.

6. The decision of the Committee was unanimous.

The RSEO

7. In terms of the RSEO the Committee required the Landlords to carry out such works as were necessary for the purposes of ensuring that the Property meets the Repairing Standard and that any damage caused by the carrying out of any work in terms of the RSEO is made good (including making good any damage to the decorations).
8. In particular the Committee required the Landlords to inspect the roof to identify the source of water ingress and thereafter carryout such repairs as were necessary to ensure that the Property was wind and water tight.

The Re-inspection

9. The Surveyor Member re-inspected the Property at 10:30 am on 5 August 2016. The weather at the time of the re-inspection was fine and dry (although it had rained within the previous 48 hours). Mr James Robertson (Rockford Properties) was present and represented the Landlords.
10. Mr Robertson advised that the roof had been inspected and a number of problems had been found - loose cementing at the chimney, slipped slates and blocked gutters. He further advised that all appropriate repairs had been undertaken. It appeared to the Committee that all work had been carried out successfully. Internally the front bedroom has been redecorated and there were no further signs of water penetration.
11. The Committee concluded that all appropriate remedial works had been carried out.

Right of Appeal

12. 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

13. 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.

Signed **R Handley** Date 27 August 2016
Chairperson