



**STATEMENT OF DECISION OF THE PRIVATE RENTED HOUSING COMMITTEE
UNDER SECTION
26(1) OF THE HOUSING (SCOTLAND) ACT 2006**

In connection with

**Property at Flat 7, 16 Shepherds Court, Buchanan Street, Balfron G63
(hereinafter referred to as "the house")**

**Ms. Agnieszka Czajkowska and Krzysztof Koszanski, Flat 7, 16 Shepherds Court,
Buchanan Street, Balfron ("the Tenant")**

**Mr. Robert Stevenson and Mrs. Janice Barclay Stevenson, Spouses, 2 Earlshill
Drive, Bannockburn (represented by Mr. Daniel Gibson, Letting Manager, Martin &
Co. (Stirling) Limited, 13/15 Upper Craigs, Stirling FK8 2DG) ("the Landlord")**

Reference: prhp/G63/117/09

DECISION

The Private Rented Housing Committee ("the Committee"), having made such enquiries as is fit for the purposes of determining whether the Landlord has complied with the Repairing Standard Enforcement Order (hereinafter referred to as "the RSEO") in relation to the house concerned, and taking account of the findings of the Surveyor Member of the Committee at the re-inspection of the property on 18 May 2011, the Committee considered that the Landlord had satisfactorily completed the works detailed in the RSEO, as varied within this decision, and decided to issue a certificate of completion of works in terms of Section 60 of the Act.

BACKGROUND

Reference is made to the Determination of the Private Rented Housing Committee ("the Committee") dated 22 March 2010 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 Repairing Standard Enforcement Order (" RSEO") made by the Committee which required the Landlord to carry out such work as is necessary for the purposes of ensuring that the house meets the repairing standard and that any damage caused by the carrying out of any work in terms of the RSEO is made good. In particular the Committee required the Landlord to carry out the following works:-

- (a) to carry out works (including those works identified in the report of Richardson and Starling, Damp Specialists) to eliminate/ reduce dampness in the house and to ensure that the house is reasonably fit for human habitation,
- (b) to carry out works to the external fabric of the tenement or block as identified in the said report of the Damp Specialists to ensure that the structure and exterior of the house (including drains, gutters and external pipes) are in a reasonable state of repair and in proper working order;

(which works are hereinafter collectively known as "the said repairs").

Said repairs to be carried out and completed within a period of 56 days from the date of service of the Notice of the RSEO. Service of the Notice of the RSEO was effected on the Landlord on 13 April 2010.

INSPECTION

Following upon a request for re-inspection of the property by the Landlord's agent on 25 March 2011, the Surveyor Member of the Committee considered the specification of works submitted by the Landlord's agent on 16 May 2011, and carried out an inspection of the house on 18 May 2011 for the purpose of ascertaining if the said repairs in the RSEO had been completed. The Surveyor Member observed that works had been undertaken to the house, namely (a) that a ventilation/dehumidification system had been installed and was in operation with a unit installed in the roof space and having a ceiling outlet in the hall. This is designed to control condensation, mildew, mould and dampness. From readings taken with an electronic moisture meter to walls, ceilings and the roof space no continuing dampness was noted. Redecoration had taken place and insulation in the roof space appeared to have been redistributed/ improved; and (b) that communal repairs appear to have been carried out to defective external wall render. The Surveyor Member noted that minor roof defects had not been repaired, although from an inspection of the roof space, there was no evidence of damp penetration which suggests that the dampness within the house was caused by condensation/ ventilation/ insulation issues which have been resolved.

DECISION AND REASONS

Given the findings of the Surveyor Member, the Committee considered that the dampness complaint had been satisfactorily resolved and that the outstanding minor roof defects were not impacting on the dampness within the house. In these circumstances the Committee decided to vary the RSEO to delete reference to the need for these outstanding minor roofing works detailed in the report of Richardson and Starling, Damp Specialists, and then determined that the RSEO have been satisfactorily completed and decided that it is appropriate to issue a Certificate of Completion in terms of Section 60 of the Act. The members of the Committee were unanimous in their decision.

A Devanny

Chairperson,
25 May 2011



Certificate of completion of work

Issued by the Private Rented Housing Committee

Under section 60 of the Housing (Scotland) Act 2006

Reference: prhp/G63/117/09

Re: Property at Flat 7, 16 Shepherds Court, Buchanan Street, Balforn G63 being the north-most flat on the second floor above the ground floor of the block known as 16 Shepherds Court, all as more particularly described in and registered in Land Certificate Title Number STG 6224(hereinafter referred to as "the house")

The Parties

Ms. Agnieszka Czajkowska and Krzysztof Koszanski, Flat 7, 16 Shepherds Court, Buchanan Street, Balforn ("the Tenant")

Mr. Robert Stevenson and Mrs. Janice Barclay Stevenson, Spouses, 2 Earlishill Drive, Bannockburn (represented by Mr. Daniel Gibson, Letting Manager, Martin & Co. (Stirling) Limited, 13/15 Upper Craigs, Stirling FK8 2DG) ("the Landlord")

CERTIFICATE OF COMPLETION

The Private Rented Housing Committee hereby certifies that the works, required by the **Repairing Standard Enforcement Order** relative to the house dated 7 April 2010 and issued on 13 April 2010 as varied, have been completed. Accordingly, the said Repairing Standard Enforcement Order relative to the Property is 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 typewritten on this and the preceding page are executed by Mrs. Aileen Margaret Devanny, Solicitor, Chairperson of the Private Rented Housing Committee at Glasgow on the First day of June, Two Thousand and eleven before the witness detailed below.

S James
..... Witness

SARA JAMES
.....
Panel Secretary
.....
140 West Campbell street
.....
GLASGOW

A Devanny