



## Certificate of Completion of Work

Issued by the Private Rented Housing Committee

Under section 60 of the Housing (Scotland) Act 2006

prhp Ref: G3/158/12

Re : Property at 22 Willowbank Crescent, Glasgow G3 6NB ("the Property")

Title No: GLA65825

### The Parties:-

Dr Kenneth Brackenridge, 21 Kew Green, Richmond, Surrey and Mark Brackenridge, 20 Grosvenor Crescent Lane, Glasgow, as Partners of and Trustees for the Firm of Brackenridge Asset Management, having a place of business at 20 Grosvenor Crescent Lane, Glasgow G12 9AB ("the Landlord")

Marielo Masso Herrera, Mariya Lyanguzova and Lauranne Botti, all Flat 3/1, 22 Willowbank Crescent, Glasgow G3 6NB ("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 served on November 2012 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 typewritten on this page are executed by George Barrie Clark, solicitor, Edinburgh, chairperson of the Private Rented Housing Committee at Edinburgh on 11 February 2013 before this witness:-

V Clark

witness

G Clark

chairman

NAVELLE ELIZABETH JANE CLARK name in full

7 NEWBATTLE TERRACE Address

Edinburgh



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

prhp Ref: prhp/G3/158/12

Re : Property at 22 Willowbank Crescent, Glasgow G3 6NB ("the Property")

### The Parties:-

Mariela Masso Herrera, Mariya Lyanguzova and Lauranne Botti, all Flat 3/1, 22 Willowbank Crescent, Glasgow G3 6 NB ("the Tenant")

Dr Kenneth Brackenridge, 21 Kew Green, Richmond, Surrey and Mark Brackenridge, 20 Grosvenor Crescent Lane, Glasgow, as Partners of and Trustees for the Firm of Brackenridge Asset Management, having a place of business at 20 Grosvenor Crescent Lane, Glasgow G12 9AB ("the Landlord")

### Decision

The Committee, having made such enquiries as it saw fit for the purposes of determining whether the Landlord has complied with the duty imposed by Section 14 (1)(b) in relation to the house concerned, determined that the Landlord had not failed to comply with the duty imposed by Section 14 (1)(b) of the Act.

### Background

1. By application dated 29 August 2012 the Tenant applied to the Private Rented Housing Panel for a determination of whether 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 application by the Tenant stated that the Tenant considered that the Landlord had failed to comply with his duty to ensure that the house meets the repairing standard and in particular that the Landlord had failed to ensure that the house was wind and water tight and in all other respects reasonably fit for human habitation,
3. The Private Rented Housing Committee inspected the Property on the morning of 13 November 2012. The Tenant was present and the Landlord was represented during the inspection.
4. Following the inspection of the Property the Private Rented Housing Committee held a hearing at Glasgow and heard from both the Tenant and the Landlord's representative.
5. The issues to be determined were whether the Property met the repairing standard as laid down in Section 13 of the Act and whether the Landlord had complied with the duties imposed on landlords by Section 14(1)(b) of the Act. The Committee determined that the Property did not meet the repairing standard and that the Landlord had failed to comply with the duty imposed by Section 14 (1)(b) of the Act. The Committee proceeded to make a Repairing Standard Enforcement Order as required by section 24(1). The Repairing Standard Enforcement Order required the Landlord to carry out such works as were necessary to make the Property wind and water tight and, in particular, to instruct a suitably qualified and experienced contractor to carry out such repairs to the roof, roof pertinent, rainwater goods and chimneys as were required to prevent further ingress of water to the Property, thereafter to provide to the Committee a report from a building surveyor or suitably qualified roofing specialist confirming that the works had been carried

out to such a standard as to render the Property wind and water tight and to carry out such works as were necessary to reinstate the internal fabric of the Property to a reasonable condition, including redecoration as necessary, when the repair works to the roof, roof pertinents, rainwater goods and chimneys had been completed.

6. The surveyor member Committee reinspected the Property on 8 January 2013 and reported to the Committee that it appeared that works to make the Property wind and water tight had been carried out and that the internal fabric of the Property had been reinstated to a reasonable standard, including full redecoration of the back bedroom and the kitchen ceiling. The Committee had seen a Preliminary Survey Report and specification of recommended works dated 19 September 2012 provided by the factors of the Property, Walker Sandford and, on 6 February 2012, received an e-mail from the factors' building surveyor, confirming that the firm of Maintain-Us Roofing and General Maintenance had completed works strictly in compliance with the specification in the report of 19 September 2012 and had also, on his instruction, refitted the eaves guttering which had been incorrectly fitted as it was holding water. The building surveyor stated that in his opinion the work as specified was sufficient to make the Property wind and water tight.

#### **Decision**

7. The Committee, having considered the surveyor member's report following the reinspection and the information provided by the factors' building surveyor, determined that the works required by the Repairing Standard Enforcement Order of 13 November 2012 had been carried out and that a certificate of Completion should be issued. The decision of the Committee was unanimous.

#### **Right of Appeal**

8. **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**

9. 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 G Clark Date 11 February 2013  
Chairperson