



Certificate of completion of work

Issued by the Private Rented Housing Committee

Under section 60 of the Housing (Scotland) Act 2006

prhp Ref: PRHP/DD4/160/12

Re: Property at G/L 22 Morgan Street, Stobswell, Dundee ("the Property")

Title No: ANG23058

The Parties:-

FLATS4U LIMITED, 7a City Quay, Camperdown Street, Dundee, DD1 3JA ("the Landlord")

GILLIAN FORDYCE formerly G/L 22 Morgan Street, Stobswell, Dundee and now 1/R 22 Morgan Street, Dundee ("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 5 February 2013 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 12 February 2014 before this witness:-

E Miller

Chairman

witness

L Johnston

Lindsay Johnston
Secretary
Thorntons Law LLP
Whitehall House
33 Yeaman Shore
Dundee
DD1 4BJ



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

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Re: Property at G/L 22 Morgan Street, Stobswell, Dundee ("the Property")

The Parties:-

GILLIAN FORDYCE formerly G/L 22 Morgan Street, Stobswell, Dundee and now 1/R 22 Morgan Street, Dundee ("the Tenant")

FLATS 4 U LIMITED, 7a City Quay, Camperdown Street, Dundee, DD1 3JA ("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 inspection by the Surveyor Member of 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.

Background

1. By way of a Decision dated 5 February 2013 the 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 5 February 2013. The RSEO required the Landlord:-
 - (a) To carry out such works as are necessary to eradicate the damp penetration into the Property and thereafter to carry out such works of internal repair and redecoration as are required to bring the Property up to the repairing standard; and
 - (b) To carry out such works of repair or replacement to the windows of the Property to ensure that they are properly wind and watertight, capable of being opened and closed properly and otherwise meet the repairing standard.
3. The RSEO required the Landlord to carry out the works within a period of 6 months. Subsequent to the original Decision the Landlord had applied for a variation. The Committee were agreeable to granting that variation and by virtue of a Variation dated 8 October 2013, the Landlord was given a further period to complete the works to 15 December 2013.
4. A reinspection of the Property was carried out by the Surveyor Member of the original Committee on 9 January 2014. A representative from the Landlord was present. The Tenant was not present, having previously vacated the Property.

5. The Surveyor Member reported to the Committee that the full renovation of the Property had taken place and the Property now appeared to meet the repairing standard. In particular the following works relating to the RSEO had been carried out:-
- a. A damp proof course injected along the flank wall.
 - b. Replastering in the sitting room and bedroom.
 - c. Redecoration throughout the flat.
 - d. Replacement PVC windows in all rooms.
 - e. The bathroom and kitchen had been upgraded.

The Surveyor Member did note one or two small areas of minor damp on the flank wall of the Property. However the Surveyor Member was of the opinion this would in all likelihood be residual damp that would dry out once the Property was inhabited and regularly heated. Given the significant works undertaken by the Landlord to address the problems identified in the RSEO, the Surveyor Member was of the view that the RSEO should be lifted. The Landlord should however continue to monitor the drying out of the flank wall to ensure there were no further damp problems.

The Committee considered the Surveyor Member's report. The Committee was satisfied that the Landlord had carried out the necessary works to ensure compliance with the repairing standard. Accordingly the Committee resolved that the RSEO would now be lifted and a Certificate of Completion discharging the RSEO under Section 60 of the Act would be granted.

Decision

6. The decision of the Committee was unanimous.

Right of Appeal

7. **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

8. 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.

E Miller

Signed Date..... *12/2/14*
Chairperson