

CERTIFICATE OF COMPLETION OF WORK

Issued by the Private Rented Housing Committee

Under Section 60 of The Housing (Scotland) Act 2006

PRHP Reference: PRHP/PA2/20/11

Re:- Flat 0/1, 3 Mary Street, Paisley, PA2 6JF ("the property")

Land Register Title Number:- **REN36113**

The Parties:-

Mark Fairman, residing at Flat 0/1, 3 Mary Street, Paisley, PA2 6JF ("the tenant")

And

David Henry Jenkins, residing at 43b Cautley Avenue, Clapham, London per Castle Residential, 63 Causeyside Street, Paisley, PA11 1YT ("the landlord")

The Committee comprised:-

Mr James Bauld - Chairperson

Mr Michael Links - Surveyor member

Mr James Riach - Housing member

CERTIFICATE OF COMPLETION

The Private Rented Housing Committee hereby certifies that the work required by the Repairing Standard Enforcement Order relative to the Property at Flat 0/1, 3 Mary Street, Paisley, PA2 6JF dated 12 May 2011 has been completed. Accordingly, the said Repairing Standard Enforcement Order relative to the Property has been discharged.

A landlord or 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.

Signed . **J Bauld**
James Bauld, Chairperson

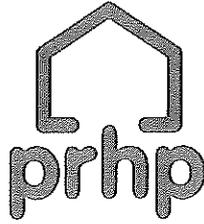
Date *5 April 2012*

Signature of Witness **R King**

Date *5 April 2012*

Name, address and occupation of the witness (please print):-

ROBINA KING
SECRETARY
7 West George Street
Glasgow G2 1BA



Determination by Private Rented Housing Committee
Statement of Decision of the Private Rented Housing Committee
(Hereinafter referred to as "the Committee")
Under Section 25 of the Housing (Scotland) Act 2006
Case Reference Number: PRHP/PA2/20/11

Re:- Property at Flat 0/1, 3 Mary Street, Paisley, PA2 6JF ("**the property**")

Land Register Title Number:- **REN36113**

The Parties:-

Mark Fairman, residing at Flat 0/1, 3 Mary Street, Paisley, PA2 6JF ("**the tenant**")

And

David Henry Jenkins, residing at 43b Cautley Avenue, Clapham, London per Castle Residential, 63 Causeyside Street, Paisley, PA11 1YT ("**the landlord**")

The Committee comprised:-

Mr James Bauld - Chairperson
Mr Michael Links - Surveyor member
Mr James Riach - Housing member

Background:-

- 1 On 12 May 2011, the Committee issued a Determination which decided that the landlord had failed to comply with the duties imposed by Section 14(1)(b) of the Housing (Scotland) Act 2006 ("the 2006 Act"). On the same date the Committee issued a Repairing Standard Enforcement Order (RSEO) in respect of the property.
- 2 The RSEO made by the Committee required the landlord to carry out such works as were necessary to ensure that the house was wind and water tight and that the structure and the exterior of the house was in a reasonable state of repair and in particular required the landlord

to carry out repairs to the walls in both bedrooms to identify the causes of dampness and to eradicate the dampness.

3 On 31 August 2011 the Committee determined that the landlord had failed to comply with the terms of the RSEO and accordingly the Committee issued a Rent Relief Order reducing the rent payable in terms of the tenancy.

4 Subsequent to the imposition of the Rent Relief Order, the landlord contacted the Committee to advise that in his opinion the works had now been carried out and completed.

5 On 10 November 2011 the Committee had the property re-inspected. The view of the Committee was that the required works had not been completed and a formal Decision to that extent was issued on 14 December 2011. The Committee took the view that the Repairing Standard Enforcement Order and Rent Relief Order should remain in place.

6 On 10 February 2012, a further re-inspection of the property was carried out on behalf of the Committee. Subsequent to that re-inspection, correspondence was received from both the landlord and the tenant confirming that in their opinion all necessary works had now been carried out and that the works ordered in terms of the Repairing Standard Enforcement Order had been completed.

Decision

7 The Committee, having made such enquiries as it sees fit for the purpose of determining whether the landlord had complied with the RSEO in relation to the property concerned and taking full account of all the evidence obtained both from the tenant and the landlord and taking account of the evidence obtained during the re-inspections of the property, now determine that the landlord has fully complied with the RSEO in terms of Section 26(1) of the Housing (Scotland) Act 2006 and hereby determine that a Certificate of Completion should be issued in respect of said Order.

8 The Committee also determine that the Rent Relief Order which has been imposed upon this property should now be revoked in terms of Section 27(4)(b) of the 2006 Act.

9 The decision of the Committee is unanimous.

Rights of Appeal

10 A landlord or tenant aggrieved by the decision of the Committee may appeal to the Sheriff by summary application within 21 days of being notified of that decision.

- 11 The appropriate respondent in such appeal proceedings is the other Party to the proceedings and not the PRHP of the Committee which made the decision.

Effects of Section 63

- 12 Where such an appeal is made, the effect of the decision and of any Order made in consequence of it is suspended until the appeal is abandoned or finally determined.
- 13 Where the appeal is abandoned or finally determined by confirming the decision, the decision and the Order made in consequence of it are to be treated as having effect from the day on which the appeal is abandoned or so determined.

Signed **J Bauld** Date *5 April 2012*

James Bauld, Chairperson

Signature of Witness **R King** Date *5 April 2012*

Name, address and occupation of the witness (please print):-

ROBINA KING
SECRETARY
7 West George Street
Glasgow G2 1BA