



Certificate of completion of work

Issued by the Private Rented Housing Committee

Under section 60 of the Housing (Scotland) Act 2006

prhp Ref: prhp/FK1/80/13

Re : Property at 57 Anderson Crescent, Shieldhill, Falkirk FK1 2ED ("the Property")

Land Register Title Number : STG49809

The Parties:-

William Moore Clark, sometime 17 Main Street, Redding, Falkirk FK2 9YD, care of Liddle & Anderson, Solicitors, 2 Market Street, Bo'ness EH51 9AD ("the Landlord")

and

Ms Margaret Binnie, sometime 57 Anderson Crescent, Shieldhill, Falkirk FK2 2ED ("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 dated 19 August 2013 and served on 5 September 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 typewritten on this page are executed by George Barrie Clark, solicitor, Edinburgh, chairperson of the Private Rented Housing Committee at Edinburgh on 11 December 2013 before this witness:-

V Clark

witness

G Clark

chairman

Valerie Elizabeth Jane Clark

7 Newbattle Terrace

Edinburgh EH10 4RU



Statement of decision of the Private Rented Housing Committee under Section 60 (4) of the Housing (Scotland) Act 2006

prhp Ref: prhp/FK1/80/13

Re : Property at 57 Anderson Crescent, Shieldhill, Falkirk FK1 2ED ("the Property")

The Parties:-

M/s Margaret Binnie, sometime 57 Anderson Crescent, Shieldhill, Falkirk FK1 2ED ("the Tenant")

William Moore Clark, sometime 17 Main Street, Redding, Falkirk (represented by his agents Messrs Liddle & Anderson, Solicitors, 2 Market Street, Bo'ness EH51 9AD ("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, and taking account of the evidence produced by the Landlord subsequent to the Committee's determination of 19 August 2013, determined that the Landlord had carried out the works required by the Repairing Standard Enforcement Order of 19 August 2013 and had complied with the duty imposed by Section 14 (1)(b) of the Act.

Background

1. By application dated 25 April 2013, 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 Private Rented Housing Committee inspected the Property on the morning of 19 August 2013. The Committee comprised George Clark (chairman), Sara Hesp (surveyor member) and John Blackwood (housing member). Following the inspection of the Property the Private Rented Housing Committee held a hearing at Westfield Community Centre, Westfield Street, Falkirk, following which hearing the Committee determined that the Landlord had failed to comply with the duties imposed on landlords by Section 14(1)(b) of the Act. The Committee proceeded to issue a Repairing Standard Enforcement Order requiring the Landlord to provide a written report from a suitably qualified engineer, confirming that the tumble dryer in the Property was in working order or, alternatively, to replace the tumble dryer in the Property. The Repairing Standard Enforcement Order was served on the parties on 5 September 2013.
3. By letter dated 2 October 2013, the Landlord's agents provided the Committee with a receipt for the purchase of a tumble dryer dated 26 September 2013.
4. The Committee determined that it was satisfied with the receipt provided and that it was not necessary to re-inspect the Property prior to determining whether the work required by the Repairing Standard Enforcement Order had been carried out.

Summary of the issues

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.

Reasons for the decision

6. The Committee determined that the Landlord had replaced the tumble dryer in the Property, in terms of the Repairing Standard Enforcement Order dated 19 August 2013.

Decision

7. The Committee accordingly determined that the Landlord had now complied with the duty imposed by Section 14 (1)(b) of the Act and that the Property met the repairing standard as laid down in Section 13 of the Act..
8. The Committee proceeded to issue a Certificate of Completion as required by Section 60(4) of the Act.
9. The decision of the Committee was unanimous.

Right of Appeal

10. 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

11. 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**
Chairperson

..... Date... 11 December 2013