



**Certificate of completion of work**

**Issued by the Private Rented Housing Committee**

**Under section 60 of the Housing (Scotland) Act 2006**

prhp Ref: PRHP/DD3/27/10

Re : Property at 80 Beaulieu Avenue, Dundee, DD3 0DW ("the Property")

Title No: ANG46063

The Parties:-

Mrs Lisa Mary Campbell residing at North Lodge, Baxter Park (represented by their agent Mrs Maureen Moran ("the Landlords"))

Mr Paul Feltham and Ms Kim Spiers residing together at 80 Beaulieu Avenue, Dundee ("the Tenants")

**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 28 May 2010 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 Chairperson of the Private Rented Housing Committee at Dundee on 29 July 2010.

Before this witness:-

**L Johnston**

\_\_\_\_\_  
Witness

**E Miller**

\_\_\_\_\_  
Chairman

Lindsay Johnston  
Whitehall House  
33 Yeaman Shore  
Dundee  
DD1 4BJ  
Legal Secretary



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

**prhp Ref: PRHP/DD3/27/10**

**Re : Property at 80 Beaulieu Avenue, Dundee, DD3 0DW ("the Property")**

### **The Parties:-**

**Mr Paul Feltham and Ms Kim Spiers residing together at 80 Beaulieu Avenue, Dundee ("the Tenants")**

**Mrs Lisa Mary Campbell residing at North Lodge, Baxter Park (represented by their agent Mrs Maureen Moran ("the Landlord"))**

### **Decision**

The Committee, having made such enquiries as it saw fit for the purposes of determining whether the Landlord had complied with the Repairing Standard Enforcement Order ("RSEO") made previously by the Committee, and taking account of a subsequent reinspection of the Property, determined that the Landlord had now complied with the terms of the RSEO and resolved the issue of the Certificate of Completion in respect of the works required by the RSEO.

### **Background**

1. By way of a Decision dated 28 May 2010 the Private Rented Housing Committee ("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 28 May 2010. The RSEO required the Landlord to:-
  - (a) To repair the large hole in the kitchen ceiling adjacent to the rear window and to carry out such redecoration works as are necessary;
  - (b) To make good the damage caused by water ingress to the larger of the two bedrooms upstairs and to carry out such repair works as may be necessary to the roof of the Property to prevent any further water ingress;
  - (c) To make good damage caused by water ingress to the upstairs hallway wall and to carry out such further works as are necessary in relation to the external harling and rear downpipe to prevent any further damage being occasioned;
  - (d) To install new back panels to the cupboards adjacent to the dishwasher in the kitchen;

- (e) To replace all broken, split and cracked floor tiles within the kitchen;
- (f) To replace the guttering to the side of the Property;
- (g) To repair or replace the guttering at the rear of the Property;
- (h) To repair or replace the rear downpipe at the Property and make good any damage to the harling behind the downpipe;
- (i) To replace the lounge window and the two upper floor bedroom windows;
- (j) To repair or replace the downstairs bedroom window, the kitchen window and bathroom window and in particular to ensure that the said windows are capable of being opened and shut smoothly and all necessary handles are in place and properly operational;
- (k) To replace both the front and back doors and the surrounding frames and to ensure that the replacements are properly wind and watertight;
- (l) To provide the Committee with a clear periodic inspection report by a qualified electrician confirming that the property is compliant with the relevant regulations and to secure any loose sockets and switches within the Property;
- (m) To carry out such remedial works as are necessary to the rear of the bath to stop the pooling of water and water ingress to the kitchen below. Also, to carry out such remedial works as are necessary to repair damage caused to the kitchen wall by the water ingress that has occurred to date;
- (n) To repair/replace all loose, missing and slipped tiles on the roof;
- (o) To carry an appropriate check on the fridge/freezer to ascertain whether it was in proper working order or not and to take such steps as are necessary to ensure that it is in proper working order; and
- (p) To carry out such repairs as are necessary to ensure that the pressure within the central heating system is maintained at an appropriate level and is in proper working order.

3. Mr David Godfrey, the Surveyor Member of the Committee, reinspected the Property in the presence of the Landlord on 5 July 2010.

The Surveyor Member subsequently advised the Committee that in his view the items listed above (and on the RSEO) as (a), (b), (c), (d), (e), (f), (g), (j), (m) and (n) had all been satisfactorily completed by the Landlord.

The Surveyor Member was also satisfied that items (l), (o) and (p) had been attended to. However, the supporting documentation from the electrical and gas engineers was not yet available and would require to be exhibited to the Committee before the RSEO could be lifted.

In relation to item (h), the Surveyor Member could see no obvious sign of repair but equally there did not appear to be any continuing defect that the Surveyor Member could identify. On that basis the Surveyor Member was satisfied that this item had been dealt with appropriately.

In relation to items (i) and (k) (the lounge and two upper floor bedroom windows, along with the front and back doors) the RSEO had required replacement rather than repair. Notwithstanding the terms of the RSEO the Landlord had carried out repair. Upon inspection the Surveyor Member was satisfied that whilst the repairs may not have a particularly long lifespan and were, in areas, aesthetically poor nonetheless the windows and doors were now wind and watertight and, in his view, in line with the repairing standard. After discussion the Committee were prepared to accept this.

Subsequent to the reinspection of the Property by the Surveyor Member the Landlord provided a Domestic Electrical Installation Periodic Inspection Report in terms satisfactory to deal with items (l) and (o). A report had been received from a heating engineer in terms satisfactory to deal with item (p).

The Committee considered and discussed the terms of the Surveyor Member's reinspection report. The Committee also took account of the fact that in the interim period the Tenants had removed from the Property. The Committee were satisfied that the Property now met with the repairing standard and accordingly determined to issue a Certificate of Completion discharging the RSEO under Section 60 of the Housing (Scotland) Act 2006.

- 4. The decision of the Committee was unanimous.

**Right of Appeal**

- 5. 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**

- 6. 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 .  
Chairperson

Date.....

29/7/2010