



Certificate of completion of work

Issued by the Private Rented Housing Committee

Under section 60 of the Housing (Scotland) Act 2006

PRHP Ref: PRHP/RP/14/0263

Re: Property at 16 Watling Drive, Camelon, Falkirk, FK1 4QD ("the property")

Title No: STG56003

The Parties:-

MISS SHERYL MORRISON, 16 Watling Drive, Camelon, Falkirk, FK1 4QD ("the tenant")

MS JANIS IRIS LEARY AND MR ALEX WALKER, c/o A.J. Properties, Office 2003, Livingston, West Lothian, EH54 0DE ("the landlord")

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 2nd September 2015 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(s) are executed by Simone Sweeney, Solicitor Advocate and Chairperson of the Private Rented Housing Committee at Glasgow on 28th September 2016 before this witness:-

S Sweeney

.....Chair

B Divers

.....witness

Barry Divers, Advocate, Advocates Library, Parliament House, 11 Parliament Square, Edinburgh, EH1 1RQ



Statement of facts and reasons for decision to grant Certificate of completion of work

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Re: Property at 16 Watling Drive, Camelon, Falkirk, FK1 4QD (“the property”)

Land Certificate Title No: STG 56003

The Parties:

MISS SHERYL MORRISON, 16 Watling Drive, Camelon, Falkirk, FK1 4QD (“the tenant”)

MS JANIS IRIS LEARY AND MR ALEX WALKER, c/o A.J. Properties, Office 2003, Livingston, West Lothian, EH54 0DE (“the landlord”)

NOTICE TO MS JANIS IRIS LEARY AND MR ALEX WALKER (“the landlord”)

Statement of facts and reasons

1. In a Repairing Standard Enforcement Order (“RSEO”) dated 2nd September 2015, as amended 15th December 2015, the Private Rented Housing Committee (“the committee”) determined that the landlord had failed to comply with the duty imposed by Section 14 (1) (b) of the Housing (Scotland) Act 2006 (“The Act”). The terms of the RSEO refer.
2. Following a re-inspection of the property on 29th February 2016, the committee determined that the landlord had failed to comply with the terms of the RSEO and issued a rent relief order (“RRO”) in terms of section 27 of the Act together with a statement of facts and reasons for the committee’s decision to issue the order. The RRO and statement of facts and reasons dated 17th May 2016 are referred to for their terms.
3. A further inspection and hearing were assigned for 1st August 2016. The members of the committee for that hearing were Simone Sweeney, Chair and Andrew Taylor, surveyor. The landlord failed to attend the inspection and hearing on 1st August 2016 and access could not be

made to the property. Investigations revealed that due to an administrative error, the landlord had mis-diarised the date. The inspection and hearing were rescheduled for Friday 23rd September 2016.

4. Following the inspection of 29th February 2016, the previous surveyor to the committee had identified that the following works, required by the RSEO, remained outstanding:

“that within the main bedroom there was evidence of dampness on the wall of the main bedroom just below ceiling.....

That the double glazed unit at the window of the main bedroom had not been replaced;

That an updated Gas Safety certificate was not available.

That child locks had not been fitted to the windows within the kitchen.”

5. At the inspection at 10am on 23rd September the landlord, Alex Walker, was present. On inspection of the property, the committee found no evidence of dampness within the main bedroom; that the double glazed unit of the main bedroom had been replaced and was in working order; and that child locks were fitted to the windows in the kitchen.
6. A hearing took place at 11am at Wallace House, Maxwell Place, Stirling after the inspection on 23rd September 2016. Mr Walker attended the hearing at approximately 11.10am. Mr Walker produced a Domestic Electrical Installation Condition Report (“EICR”) dated, 9th November 2015. The report revealed that an inspection of the electrical wiring had been carried out at the property after the date of the original RSEO. It also post-dated the gas safety certificate of 20th April 2015 which had identified defects giving rise to sections (iii) and (iv) of the RSEO. The surveyor was satisfied that the terms of the EICR were satisfactory and that there was nothing outstanding in terms of sections (iii) and (iv) of the RSEO.
7. Mr Walker submitted that an up to date Gas Safety certificate was available at his office. He gave an undertaking to the committee to submit the certificate to the PRHP the following week.
8. The Gas Safety certificate was received by the committee on 28th September 2016. The surveyor was satisfied that the terms of the certificate were satisfactory. The certificate, dated 15th April 2016, did not highlight any of the defects in the bonding identified in the gas safety certificate of 20th April 2015, giving rise to sections (iii) and (iv) of the RSEO.
9. There being no evidence of dampness within the main bedroom of the property, the committee was satisfied that works undertaken by the landlord met the requirements of section (i) of the RSEO.
10. The committee was satisfied that the electrical and gas safety certificates complied with the terms of sections (iii) and (iv) of the RSEO.
11. The committee was satisfied that the child lock at the windows of the kitchen met the requirements of section (v) of the RSEO.
12. The remaining sections of the RSEO had been met by works undertaken at an earlier date by the landlord and referred to in the surveyor’s re-inspection report of 29th February 2016.

13. The committee was satisfied that all repairs specified in the RSEO had been carried out and that an EICR had been provided which confirmed that the installation for the supply of electricity, including the recently installed smoke alarms was satisfactory.
14. Having determined that all works of the RSEO had been carried out and there being no outstanding issues arising from the application before it, the committee resolved to issue a certificate of completion.
15. **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.**
16. Where such an appeal is made, the effect of the decision and the certificate is suspended until the appeal is abandoned or finally determined. Where the appeal is abandoned or finally determined by confirming the decision, the decision and the certificate are to be treated as having effect from the day on which the appeal is abandoned or so determined.



S Sweeney

Chair

At Glasgow on 28th September 2016

