

Ref: PRHP/RP/16/0067



CERTIFICATE OF COMPLETION OF WORK
ISSUED BY THE PRIVATE RENTED HOUSING COMMITTEE
UNDER SECTION 60 OF THE HOUSING (SCOTLAND) ACT 2006

Re: Property at 24 Dolphin Gardens West, Currie, EH14 5RE, as more particularly described in Title Sheet MID75841 ("the House")

The parties:-

Ms Kathleen McKay, residing at the House ("the Tenant")

and

**Mr Peter Henderson, 68 Crosswood Crescent, Balerno, EH14 7HS
("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 House served following a decision of the Private Rented Housing Committee on 5 July 2016 has been completed. Accordingly, the said Repairing Standard Enforcement Notice relative to the House has been discharged.

A landlord or tenant aggrieved by this decision of the Private Rented Housing Committee may appeal to the Sheriff by way of 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 Maurice O'Carroll, Advocate, Advocates Library, Parliament House, Edinburgh EH1 1RF, Chairman of the Private Rented Housing Committee at Edinburgh on 17 November 2016 before this witness.

Signed **M O'Carroll**
Maurice O'Carroll, Chairperson

Date: 17 November 2016

E Barclay witness:

EVAN BARCLAY Name of witness

CASEWORKER / HEARINGS Occupation
CLERK.

EUROPA BUILDING Address
450 ARGYLE STREET
GLASGOW
G2 8LH



Statement relative to the Certificate of Completion

Issued by the Private Rented Housing Committee

Re: Property at 24 Dolphin Gardens West, Currie, EH14 5RE as more fully described in the relative Notice ("the House")

Case Ref: PRHP/RP/16/0067

The Parties:-

Application received from Ms Kathleen McKay ("the Tenant")

Mr Peter Henderson, 68 Crosswood Crescent, Balerno, EH14 7HS ("the Landlord")

Committee:

Mr Maurice O'Carroll (Chairperson)

Mr Ian Murning (Surveyor Member)

Decision

The Committee having made such enquiries as was appropriate for the purposes of determining whether the Landlords had complied with the Repairing Standard Enforcement Order ("RSEO") relative to the House and taking into account subsequent inspections by the surveyor member and 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 required by the RSEO.

- 1. By decision dated 5 July 2016, the Private Rented Housing Committee 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. On the same date, the Committee issued an RSEO. The RSEO required the Landlord to:**

1. Repair and complete the harling to the rear of the extension to the House;
 2. Secure the rhone and guttering at the extension of the House;
 3. Replace the harling on the garage where it has been removed;
 4. Reinstall the rear window of the garage;
 5. Replace or reinstall the rhone to the garage;
 6. Repair or replace the woodwork surround to the door of the garage;
 7. Reinstate the security light formerly attached to the garage and ensure that it functions correctly;
 8. Reinstate the wall connecting the rear of the House to the garage in its prior location to the same height using similar materials to those used previously;
 9. Ensure that the armoured electrical cable to the rear of the house is properly secured, repositioned or otherwise ensure that it no longer presents a trip hazard;
 10. Reinstate the electrical connection and pump to the garden pond and ensure that pump is functional;
 11. Clear all debris from the site and vegetation from the pond and reinstate paving slabs to either side of the pond where they have been removed;
 12. Repair or replace the gas boiler to ensure that it meets current gas safety requirements;
 13. Provide an up to date gas safety certificate demonstrating that the boiler meets current gas safety requirements;
 14. Comply with the requirements contained with the EICR produced by Select dated 1 June 2016 in order to make the House fully compliant with current electrical safety standards.
3. The RSEO allowed the Landlord a period of two months to complete the works required.
 4. A re-inspection of the House was conducted by the surveyor member of the Committee on 9 September 2016 and a report was produced by him on 22 September 2016.
 5. The report revealed that whilst most of the works listed in the RSEO had been carried out, items 8, 13 and 14 of the RSEO remained outstanding.
 6. On 10 November 2016, on application by the Landlord, the Committee decided to

vary the RSEO to the extent of no longer requiring compliance with item 8 of the RSEO.

7. On 25 October 2016, the Landlord had written to the Private Rented Housing Panel to indicate that works necessary to complete items 13 and 14 had been carried out. Proof of that was requested by the Panel.
8. On 11 November 2016, the Landlord again wrote to the Panel enclosing the EICR report, together with an invoice dated 4 August 2016 demonstrating that the outstanding matters contained within that report had been completed as stipulated in requirement 14 of the RSEO. On the same date, the Landlord provided the Panel with a Gas Safety Certificate dated 11 October 2016 demonstrating that the gas appliances within the House had been verified as safe by a suitably qualified tradesperson in accordance with requirement 13 of the RSEO.
9. In light of the above, the Committee was satisfied that all remaining requirements contained within the RSEO had been carried out.

Decision

10. The Committee's decision was therefore to discharge the RSEO and to grant the Certificate of Completion in terms of section 60 of the Act. That decision was unanimous.

Right of Appeal

11. **A landlord or tenant aggrieved by this decision of the Private Rented Housing Committee may appeal to the Sheriff by way of summary application within 21 days of being notified of that decision.**

Effect of section 63 of the 2006 Act

12. Where such an appeal is made, the effect of the decision and 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.

M O'Carroll

Chairperson
Private Rented Housing Committee

Date: 17 November 2016