



**Certificate of completion of work**

**Issued by the Private Rented Housing Committee**

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

**Re: Eastmost first floor flat forming and known as 88 D Kemnay Gardens, Dundee DD4 7TP in the County of Angus being the subjects described in and disposed by Disposition by City of Dundee District Council in favour of Paul David McGregor and Helen O'Fee Mackenzie dated 19 July and recorded in the Division of the General Register of Sasines for the County of Angus on 8 September, both months in the year 1995 ("the property")**

**The Parties:-**

**Mr Bartolomiej Goluch, formerly residing at the house ("the Tenant")**

**Mr Paul McGregor and Ms Helen Mackenzie, both residing at 2 Bennan Gardens, Broughty Ferry, Dundee DD5 3EJ ("the Landlord")**

**Reference PRHP/RP/ 13 /0008**

**CERTIFICATE OF COMPLETION**

The Private Rented Housing Committee hereby certifies that the works, required by the **Repairing Standard Enforcement Order** relative to the house dated 28 August 2013 which was subsequently varied on 15 January 2014, have been completed. Accordingly, the said Repairing Standard Enforcement Order relative to the house is 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 and the preceding page are executed by Mrs Aileen Margaret Devanny, Chairperson of the Private Rented Housing Committee at Glasgow on the Fifth day of March, Two Thousand and fourteen before the undernoted witness

**A Ross**

A Ross

EUROPA BUILDING

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A Devanny



**STATEMENT OF DECISION OF THE PRIVATE RENTED HOUSING COMMITTEE  
UNDER SECTION  
26(1) OF THE HOUSING (SCOTLAND) ACT 2006**

**In connection with**

**Property at 88 D Kemnay Gardens, Dundee DD4 7TP ("the house")**

**The Parties:-**

**Mr. Bartolomiej Goluch, formerly residing at the house ("the tenant")**

**Mr. Paul McGregor and Ms Helen Mackenzie, both residing at 2 Bennan Gardens,  
Broughty Ferry, Dundee DD5 3EJ ("the landlord")**

**Reference PRHP/RP/ 13 /0008**

**COMMITTEE: Mrs. Aileen Devanny (Chairperson); Mr. David Godfrey (Surveyor  
Member); Mr. Mike Scott (Housing Member)**

**DECISION**

The Private Rented Housing Committee ("the Committee"), having made such enquiries as is fit for the purposes of determining whether the Landlord has complied with the Repairing Standard Enforcement Order (hereinafter referred to as "the RSEO") in relation to the house concerned, and taking account of the written documentation and video supplied on a SD Card by the Landlord, the Committee considered that the Landlord had satisfactorily completed the works detailed in the RSEO and decided to issue a certificate of completion of works in terms of Section 60 of the Act.

## **Background**

1. Reference is made to the Determination of the Committee dated 28 August 2013 which decided that the Landlord had failed to comply with the duty imposed by Section 14(1) (b) of the Act and the RSEO made by the Committee which required the Landlord to carry out works as specified therein, the said works to be carried out and completed within a period of 8 weeks from the date of service of the Notice of the RSEO. The Notice of the RSEO was served on the Landlord on 30 August 2013.
2. The Committee considered the re-inspection report of the surveyor member dated 4 November 2013. As a consequence of that report the Committee, mindful of Sections 25(2) and (3) of the Act, considered that it would be appropriate to give the Landlord an extension of the period required to complete the work to the kitchen window detailed in the RSEO and issued a variation of the RSEO in terms of section 25(1) (a) of the Act. The variation provided for a further 28 days from the date of service of the Notice of Variation on the Landlord to complete the works to the kitchen window and for the Landlord to produce within that timescale satisfactory evidence in writing to the Committee of the repair to the kitchen window.
3. On 19 February 2014 the Landlord provided evidence to support that the repair to the kitchen window had been undertaken. The Committee decided that it is appropriate to issue a Certificate of Completion in terms of Section 60 of the Act. The members of the Committee were unanimous in their decision.

## **Right of Appeal**

**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**

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.

**A Devanny**

Chairperson,  
3 March 2014