



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/15/0067

Re: Property at 2/1 Craigleith Avenue South, Edinburgh EH4 3LQ ("the Property")

Sasine Description: ALL and WHOLE the flatted dwellinghouse 2/1 Craigleith Avenue South, Edinburgh, in the County of Midlothian, being the westmost flat on the ground floor of the tenement of flats of which it forms part and being the subjects more particularly described in and disposed by Disposition in favour of Nora Melita Grace Mackenzie, recorded in the Division of the General Register of Sasines applicable to the County of Midlothian on 15 June 1977.

The Parties:-

Vincent Gonelli, residing at 2/1 Craigleith Avenue South, Edinburgh EH4 3LQ ("the Tenant"); and

Janetta Stewart Morrison, residing at 9 Crossland Crescent, Peebles EH45 8LF ("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 dated 17 April 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 typewritten on this page are executed by George Barrie Clark, solicitor, Lasswade, chairperson of the Private Rented Housing Committee at Lasswade on 5 May 2015, before this witness Valerie Elizabeth Jane Clark, Droman House, 5 School Brae, Lasswade, Midlothian.

V Clark

____ witness

G Clark_____ chairman



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

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Re : Property at 2/1 Craigleith Avenue South, Edinburgh EH4 3LQ ("the Property")

The Parties:-

Vincent Gonelli, residing at 2/1 Craigleith Avenue South, Edinburgh EH4 3LQ ("the Tenant")

Janetta Stewart Morrison, residing at 9 Crossland Crescent, Peebles EH45 8LF ("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 written representations made by both the Landlord and the Tenant, determined that the Landlord had complied with the duty imposed by Section 14 (1)(b) of the Act and with the Repairing Standard Enforcement Order made on 17 April 2015.

Background

1. By application dated 16 February 2015, received on 17 February 2015, the Tenant applied to the Private Rented Housing Panel ("the 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 application by the Tenant stated that the Tenant considered that the Landlord had failed to comply with his duty to ensure that the house meets the repairing standard and in particular that the Landlord had failed to ensure that:-

(a) the installations in the house for the supply of water, gas and electricity and for sanitation, space heating and heating water are in a reasonable state of repair and in proper working order, and

(b) the house has satisfactory provision for detecting fires and for giving warning in the event of a fire or suspected fire.
3. By letter dated 13 March 2015 the President of the Private Rented Housing Panel intimated a decision to refer the application under Section 22 (1) of the Act to a Private Rented Housing Committee ("the Committee").
4. The Private Rented Housing Committee served Notice of Referral under and in terms of Schedule 2, Paragraph 1 of the Act upon both the Landlord and the Tenant.
5. Following service of the Notice of Referral the Tenant made no further written representation to the Committee other than the original application dated 16 February 2015. The Landlord (by e-mail dated 13 March 2015 and by letter dated 17 March 2015), made written representations to the Committee.

6. The Private Rented Housing Committee inspected the Property on the morning of 17 April 2015.
7. The Committee comprised George Clark (chairperson) and Charles Reid Thomas (surveyor member).
8. Following the inspection of the Property the Private Rented Housing Committee held a hearing at George House, 126 George Street, Edinburgh and proceeded to issue a Repairing Standard Enforcement Order in respect of the Property, requiring the Landlord to install in the Property smoke alarms and a heat detector as set out in the Scottish Government's revised statutory guidance on the requirements for smoke alarms in Private Lets and in accordance with the revised Domestic Technical Handbook.
9. The Landlord subsequently submitted to the Committee an Invoice dated 23 April 2015 from Ideal Electrical Solutions (UK) Limited for the installation in the Property of a mains operated fire detection unit with integrated sounder and of a mains operated heat detection unit with integrated sounder. The Tenant also, by e-mail dated 24 April 2015, confirmed that, on 22 April 2015, contractors had completed the required hard wired smoke sensors and Fire alert installation at the Property, plus smoke sensors in the main hall, small hall. Lounge/dining room combined and the fire alert in the kitchen.

Summary of the issues

10. 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

11. As both parties had confirmed completion of the work required by the Repairing Standard Enforcement Notice, the Committee decided to issue a Certificate of Completion of Work under Section 60 of the Act, without requiring a re-inspection of the Property.

Decision

12. The Committee accordingly determined that the Landlord had complied with the duty imposed by Section 14 (1)(b) of the Act.
13. The decision of the Committee was unanimous.

Right of Appeal

14. 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

15. 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** Date 17 April 2015
Chairperson