



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/16/0031

Re: Property at 137 Struan Road, Perth, PH1 2NH ("the Property")

Title No: PTH8630

The Parties:-

MR BARRY FARRELL and MRS CAROLINE FERNE FARRELL residing at Shalom, 2 Kilgraston School, Bridge of Earn, Perth ("the Landlords")

MISS HANNAH CHRISTIE and MR GRAHAM GEDDES residing together at 137 Struan Road, Perth, PH1 2NH ("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 served on 25 May 2016 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, DD1 4BJ, Chairperson of the Private Rented Housing Committee at Dundee on 19 September 2016 before this witness:-

L Johnston

_____ witness

E Miller

Chairman

Lindsay Johnston
Secretary
Thorntons Law LLP
Whitehall House
33 Yeaman Shore
Dundee
DD1 4BJ



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

prhp Ref: PRHP/RP/16/0031

Re: Property at 137 Struan Road, Perth, PH1 2NH ("the Property")

The Parties:-

MISS HANNAH CHRISTIE and MR GRAHAM GEDDES residing together at 137 Struan Road, Perth, PH1 2NH ("the Tenants")

MR BARRY FARRELL and MRS CAROLINE FERNE FARRELL residing at Shalom, 2 Kilgraston School, Bridge of Earn, Perth ("the Landlords")

Decision

The Private Rented Housing 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") in relation to the Property concerned and taking account of the subsequent inspection of the Property by the Surveyor Member of the Committee, determined that the Landlords 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.

Background

1. By way of a Decision dated 25 May 2016, the Private Rented Housing Committee had issued a determination that the Landlords 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 25 May 2016. The RSEO required the Landlords:-
 - (a) to carry out such works to all windows within the Property to ensure that the necessary trickle ventilation is properly installed and in working order
 - (b) to take advice from a professional company regarding measures to reduce the excessive condensation/mould within the Property and to carry out any such recommendations by the said company.

The RSEO gave the Landlords a period of 28 days from the date of service of the Notice to carry out the works.

3. A reinspection of the Property was carried out by the Surveyor Member of the Committee Mr David Godfrey on 13 July 2016. The Landlords were neither present nor represented. Mr Graham Geddes of the Tenants was present and provided access to the Property.
4. The Surveyor Member of the Committee reported that a ventilation system had been installed designed to extract moisture from the Property. This had been installed by a professional and reputable company and appeared to be in proper working order. Although there were still some signs of condensation evident throughout the Property,

this was more everyday condensation associated with normal living. The Tenants confirmed that since the ventilation in the system had been installed, there had been no ongoing problems in relation to condensation.

In relation to the trickle vents at the Property, the Committee had been provided with a report from a window engineer Mr Robert Bell, received by the Committee on 9 June 2016. Although the trickle vents appeared only to be on the inside of the Property and not exiting to the exterior, the report from Mr Bell confirmed that they were an unusual design and they did actually exit to the exterior of the Property and comply, albeit it was not easy to identify this from a visual inspection. The Committee was satisfied with the Report from Mr Bell and therefore determined that this aspect of the RSEO was no longer relevant.

The Committee, comprising Mr E K Miller, Chairman and Legal Member and Mr D Godfrey, Surveyor Member considered the results of the reinspection carried out by Mr Godfrey. The Committee was satisfied that the Landlord had carried out the necessary works to achieve compliance. Accordingly the Committee was satisfied that the RSEO should be lifted and a Certificate of Completion discharging the RSEO, under Section 60 of the Act, would be granted.

Decision

5. The Committee's decision was to lift the RSEO and grant a Certificate of Completion discharging the RSEO.
6. The decision of the Committee was unanimous.

Right of Appeal

7. **A Landlords or Tenants 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

8. 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 ...
Chairperson

E Miller

..... Date..... 19/7/16