



**Certificate of completion of work**

**Issued by the Private Rented Housing Committee**

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

prhp Ref: PRHP/DD10/61/13

Re: 55A Bents Road, Montrose, DD10 8QA ("the Property")

Title No: ANG34207

The Parties:-

**RAYMOND STEWART** residing at 48 Coronation Way, Borrowfield, Montrose, DD10 9DJ ("the Landlord")

**DAVID GARDINER** residing at 55a Bents Road, Montrose, DD10 8QA ("the Tenant")

**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 20 June 2013 has been completed. Accordingly, the said Repairing Standard Enforcement Order relative to the property has been discharged.

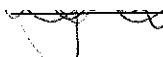
**A landlord or a tenant aggrieved by this decision of the Private Rented Housing Committee may appeal to the Sheriff by summary application within 21 days of being notified of that decision.**

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 6 January 2014 before this witness:-

Ewan Miller

\_\_\_\_\_ witness \_\_\_\_\_

\_\_\_\_\_ 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/DD10/61/13**

**Re: 55A Bents Road, Montrose, DD10 8QA ("the Property")**

### **The Parties:-**

**DAVID GARDINER residing at 55a Bents Road, Montrose, DD10 8QA ("the Tenant")**

**RAYMOND STEWART residing at 48 Coronation Way, Borrowfield, Montrose, DD10 9DJ ("the Landlord")**

### **Decision**

The Private Rented Housing Committee, having made such enquiries as were appropriate for the purposes of determining whether the Landlord had complied with the Repairing Standard Enforcement Order ("RSEO") in relation to the Property concerned and taking account of the subsequent inspection, 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.

### **Background**

1. By way of a Decision dated 20 June 2013, the Private Rented Housing Committee had 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. The Committee had placed an RSEO on the Property also dated 20 June 2013. The RSEO required the Landlord:-
  - a) To carry out such works to the Property as are necessary to allow the exhibition to the Committee of a clear electrical installation condition report confirming compliance with the relevant regulations. Said certificate to be produced by a suitably qualified electrician.
  - b) To carry out such works as may be required to the gas appliances within the Property to allow the Landlord to exhibit to the Committee a clear gas safety certificate. Said certificate to be produced by a suitably qualified and registered Gas Safety engineer.
  - c) To install a hardwired smoke alarm compliant with the relevant regulations.
  - d) To (1) install a proper seal around the join between the kitchen sink and the worktop (2) install a proper seal between the back of the kitchen worktop and the tiled wall and (3) to properly affix the kitchen tap to the sink itself.

The Committee required the works in the Order to be carried out within a period of 6 weeks from the date of service of the RSEO.

3. A reinspection of the Property was carried out on 9 August 2013 by Mr D Godfrey, Surveyor Member from the original Committee. Both the Landlord and Tenant were present.

An electrical installation condition report had been provided by the Landlord. This was in appropriate terms and confirmed that the electrical system within the Property met the required standard.

The Surveyor noted that a hardwired smoke alarm compliant with the relevant regulations had been installed. A Certificate was also provided by the Landlord in relation to this.

No Gas Certificate was presented as was required in terms of the RSEO.

The Surveyor reported that a proper seal had been installed around the join between the kitchen sink and the worktop and between the back of the kitchen worktop and between the back of the kitchen worktop and the tiled wall. The loose tap in the sink had not, however, been properly secured.

Subsequent to the reinspection the Committee were advised by both the Landlord and Tenant that the Tenant had vacated from the Property. The Landlord then produced a Gas Safety Certificate in clear terms.

The Committee considered the results of the reinspection and the subsequent events. The Committee was satisfied that all works required by the RSEO had been carried out with the exception of the repair of the loose tap. The Committee was of the view that the loose tap was the least serious of all the items and this was a very minor matter. It would not be in the public interest to continue the matter over such a minor item. Accordingly the Committee were satisfied that the RSEO should now be lifted and a Certificate of Completion discharging the RSEO under Section 60 of the Act would be granted.

#### **Decision**

4. The decision of the Committee was to lift the RSEO and grant a Certificate of Completion under Section 60 of the Act.
5. The Decision of the Committee was unanimous.

#### **Right of Appeal**

6. **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**

7. 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.

Ewan Miller

Signed ..... Date..... 6/1/14  
Chairperson