



**PRIVATE RENTED HOUSING COMMITTEE**  
**STATEMENT OF REASONS**

**PROPERTY:**

**147 Cumbrae Drive, Tamforhill, Falkirk, FK1 4AP**

**SECOND RE-INSPECTION**

**12<sup>th</sup> November, 2010**

## **STATEMENT OF REASONS**

### **INTRODUCTION**

1. By decision dated 30<sup>th</sup> July, 2010 this Committee determined that the Landlord has failed to comply with the duty imposed on her by section 14(1)(b) of the Housing (Scotland) Act 2006 ('the Act') as the property fails to meet the repairing standard as set out in section 13(1) of the Act and imposed a Repairing Standard Enforcement Order ('RSEO') dated 3<sup>rd</sup> August, 2010 on the property. The Committee determined by decision dated 13<sup>th</sup> October, 2010 that the Landlord had failed to comply with the said RSEO and as a consequence the Committee made a Rent Relief Order ('RRO') dated 13<sup>th</sup> October, 2010.

### **THE RE-INSPECTION ON 12<sup>th</sup> NOVEMBER, 2010**

2. The Landlord's solicitor, Messrs. Thomas Docherty, Falkirk, advised by letter dated 26<sup>th</sup> October, 2010 that the outstanding works had been completed. A re-inspection was arranged for 12<sup>th</sup> November, 2010. Only the Surveyor Member, Mr. Ian Mowatt, attended the re-inspection. His report to the Committee stated, *inter alia*;-

*'Having been informed that the RSEO works had been completed, a reinspection was carried out on Friday 12th November. The tenants Mr & Mrs Syme were present. I reinspected each of the outstanding RSEO items and the following findings deal with the repairs in the order in which they appear in the original documentation.*

*(a), (b), (c) The Hall, Downstairs Toilet and Upstairs Bathroom floors are now satisfactorily laminate surfaced.*

*(d) The window in the Livingroom has been sealed and the cornice repaired and appear to be in reasonable order.*

*(e) The Kitchen units have been completed and laminate flooring provided.*

*(f) The front external door has new sealants and draught exclusion provided.*

*The tenant seemed to be satisfied with the work which has been done and made no further comment.*

*I can confirm that all of the previously outstanding RSEO items have now been completed and conclude that, in my opinion, it would be in order for a Certificate of Completion to be issued.'*

### **DECISION**

3. Accordingly, this Committee now determines that the RSEO has been complied with and further that the RSEO should be discharged as a consequence and the associated Rent Relief Order should be revoked.

### **RIGHT OF APPEAL**

4. A landlord or tenant has the right to appeal this decision to the Sheriff by summary application within 21 days of being notified of that decision.

### **EFFECT OF APPEAL**

5. In terms of section 63 of the Act, where such an appeal is made, the effect of the decision and of any order is suspended until the appeal is abandoned or finally determined by confirming the decision, the decision and any order will be treated as having effect from the day on which the appeal is abandoned or so determined.

Signed 

**S Walker**

**Steven P Walker**

**Advocate & Barrister**

**Chairman**

**Private Rented Housing Committee**

**23<sup>rd</sup> November, 2010**



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

**PROPERTY:**

**147 Cumbrae Drive, Tamforhill, Falkirk, FK1 4AP**

**CERTIFICATE OF COMPLETION**

The Private Rented Housing Committee ('the Committee') **HEREBY CERTIFIES** that the Works required by the RSEO dated 3<sup>rd</sup> August, 2010 relative to this property have been complied with. Accordingly, the Committee now discharges the said RSEO and revokes the Rent Relief Order dated 13<sup>th</sup> October, 2010.

**IN WITNESS WHEREOF** these presents typewritten consisting of this and the preceding page are executed by me, Steven Peter Walker, Advocate and Barrister, Chairman of the Private Rented Housing Committee at London on the Twenty Third day of November Two Thousand and Ten before this witness Hee Kiat Sii, solicitor, c/o 2-5 Warwick Court, London, WC1R 5DJ.

S Walker

**Chairman**

H K Sii

**Witness**