



Certificate of completion of work

Issued by the Private Rented Housing Committee

Under section 60 of the Housing (Scotland) Act 2006

prhp Ref: PRHP/IV2/AD3/10

Re : Property at Wester Brae of Cantray Farm, Croy, Inverness, IV2 5PR ("the Property")

Sasine Description: ALL and WHOLE those subjects at Brae of Cantray, Croy, Inverness being the subjects described in and disposed by Disposition by the Executors of Hugh Dallas in favour of James Dallas and Jessie Dallas recorded in the Division of the General Register of Sasines for the County of Inverness on 5th July 1985.

The Parties:-

JAMES DALLAS AND JESSIE DALLAS residing at Wester Brae of Cantray Farm, Croy, Inverness, IV2 5PR ("the Landlords").

GARY WILLIAMSON residing at cottage at Wester Brae of Cantray Farm, Croy, Inverness, IV2 5PR ("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 22 September 2010 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(s) 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 16 November 2011 before this witness:-

L Johnston __ witness

E Miller
Chairman

Lindsay Johnston
Legal Secretary
Whitehall House
33 Yeaman Shore
Dundee
DD1 4BJ



**Statement of decision of the Private Rented Housing
Committee under Section 25 (1) of the Housing
(Scotland) Act 2006**

prhp Ref: PRHP/IV2/AD3/10

Re : Property at Wester Brae of Cantray Farm, Croy, Inverness, IV2 5PR ("the Property")

The Parties:-

GARY WILLIAMSON residing at cottage at Wester Brae of Cantray Farm, Croy, Inverness, IV2 5PR ("the Tenant").

JAMES DALLAS AND JESSIE DALLAS residing at Wester Brae of Cantray Farm, Croy, Inverness, IV2 5PR ("the Landlords").

Background

1. On 22 September 2010, a determination of the Committee was made to the effect that the Landlords had failed to comply with the repairing standard as set out in the Housing (Scotland) Act 2006. A Repairing Standard Enforcement Order ("RSEO") of the same date was served upon the Property.
2. The RSEO against the Property required the Landlords to:-
 - (a) to repair or replace as appropriate the guttering and downpipes at the front and rear of the Property and carry out any repair works as are appropriate to the existing soakaways;
 - (b) to properly flash and repoint the skew stones on the gable elevations of the Property sufficient to render the Property wind and watertight;
 - (c) repoint the stonework on the west chimney sufficient to render it wind and watertight;
 - (d) to repoint the spur stone on the northwest corner of the Property sufficient to render it wind and watertight;
 - (e) to replace the large window on the roadside elevation of the Property, to extend and replace the internal lintel above this window and to carry out such pointing and plastering to the ingo's and around the window in general to render it wind and watertight including repointing the crack in the Property running from the said window to the adjacent downpipe.
 - (f) In relation to the other windows within the Property to repair or replace these as appropriate and generally to ensure that the said windows are wind and watertight and capable of opening and closing properly;
 - (g) To reduce the ground level on the exterior of the Property so as to be level with or lower than the ground level on the interior of the Property on both the roadside elevation of the Property and the east gable end of the Property;

- (h) To repair the leak from the underside of the toilet and, when dealing with ground lowering works in (g) above, a check on the outfall pipe connected to the WC inside the bathroom leading to the septic tank where it is adjacent to the property to ensure it is not leaking;
 - (i) To provide the Committee with a clean period inspection report from a suitably qualified electrician confirming that the Property has a safe system of basic electrics and to carry out such works as are necessary to allow the issue of the said Certificate by a qualified electrician. These works are to include the installation of a hardwired smoke detector system within the Property.
- 3. Subsequent to the granting of the RSEO Mr Mark Andrew, Surveyor Member reinspected the Property. A number of works were still outstanding although the Landlords had made significant inroads into the works that were required. Subsequent to this reinspection, the Committee issued a further Decision dated 11 May 2011 in which the RSEO was extended for a period of one month to carry out further works. The Property was again reinspected by Mr Mark Andrew on 22 June 2011. Further works had been carried out by the Landlords and the only item now outstanding was that relating to paragraph (i) above being the provision of a clear periodic inspection report and a hardwired smoke alarm.
 - 4. In due course the Landlords produced the necessary periodic inspection report in satisfactory terms. The Landlords confirmed that he had also installed a hardwired smoke alarm in the Property. The Landlords refused, however, to provide any documentation in this regard as they deemed their confirmation to the Committee of this to be sufficient. The Tenant did, however, confirm that the hardwired smoke alarm had been installed and he was satisfied with this. In the circumstances the Committee was satisfied that all the works in the RSEO had now been carried out.

Determination and Reasons

- 5. The Committee considered the evidence they obtained at the various reinspections and the information from both the Tenant and the Landlords. The Committee were satisfied that all the works required in terms of the RSEO had now been met. On that basis the Committee were satisfied that a Completion Certificate should be issued in respect of the RSEO and the matter brought to an end.

Decision

- 6. The Committee, having made such enquiries as were fit for the purposes of determining whether the Landlords had complied with the Repairing Standard Enforcement Order in relation to the Property concerned, and taking account of the evidence obtained at the reinspections of the Property by Mr Mark Andrew and the information provided by both the Landlords and the Tenant, determined that the RSEO had been complied with and that a Certificate of Completion should now be issued.
- 7. The decision of the Committee was unanimous.

Right of Appeal

- 8. A Landlords 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

9. 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 **E Miller** Date..... *16/11/11*
Chairperson