



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

prhp Ref: PRHP/IV3/55/10

Re: 17B Telford Road, Inverness, IV3 8HZ ("the Property")

The Parties:-

Michael Kulawik and Barbara Zajac residing at 17b Telford Road, Inverness, IV3 8HZ ("the Tenants")

Gaile Dowie c/o Simply Let Limited, 13 Lovat Road, Inverness represented by Mr John Gell and Mrs Kathleen Gell, Directors of Simply Let Limited ("the Landlord")

Decision

The Committee, having made such enquiries as it saw fit for the purposes of determining whether the Landlord had complied with the Repairing Standard Enforcement Order ("RSEO") by the Committee, and taking account of a subsequent inspection by the Surveyor Member of the Committee, determined that the Landlord had now complied with the terms of the RSEO dated 15 June 2010 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 15 June 2010, 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 15 June 2010. The RSEO required the Landlord to carry out such steps as were necessary to ensure that the fan heater installed by the Landlord was in proper working order and sufficient to provide adequate heat to the bathroom within the Property or to carry out such other alternative steps as were necessary to ensure that there was effective heating in the bathroom within the Property.
3. Mr Angus Anderson, the Surveyor Member of the Committee, reinspected the Property on 7 September 2010 and was accompanied by the Landlord's agents. The fan heater had been replaced by the Landlord. The Surveyor Member switched the fan heater on during the reinspection and, in the view of the Surveyor Member, the bathroom was properly heated by this. The Surveyor Member was satisfied that the repairing standard had now been met and that the heater had been replaced properly by an appropriately qualified electrical contractor. On that basis the Committee were satisfied on the advice of the Surveyor Member that the Property now met with the repairing standard and accordingly decided to issue a Certificate of Completion discharging the RSEO under Section 60 of the Housing (Scotland) Act 2006.
4. The decision of the Committee was unanimous.

Right of Appeal

5. 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

6. 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..... 22 / 9 / 2020



Certificate of completion of work

Issued by the Private Rented Housing Committee

Under section 60 of the Housing (Scotland) Act 2006

prhp Ref: PRHP/IV3/55/10

Re: 17B Telford Road, Inverness, IV3 8HZ ("the Property")

Title No: ALL and WHOLE the ground floor dwellinghouse known as 17 Telford Road, Inverness being the subjects described in and disposed by Disposition by Kathleen Jane Elizabeth Cowie in favour of Gaile Nicola Dowie recorded in the Division of the General Register of Sasines for the County of Angus on 2 December 1999.

The Parties:-

Michael Kulawik and Barbara Zajac residing at 17b Telford Road, Inverness, IV3 8HZ ("the Tenants")

Gaile Dowie c/o Simply Let Limited, 13 Lovat Road, Inverness represented by Mr John Gell and Mrs Kathleen Gell, Directors of Simply Let Limited ("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 15 June 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 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 21 September 2010 before this witness:-

L Johnston

witness

E Miller

Chairman


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