



Certificate of completion of work

Issued by the Private Rented Housing Committee

Under section 60 of the Housing (Scotland) Act 2006

prhp Ref: PRPH/RP/13/0157

Re: Property at Lower Arboll Bungalow, Portnahomack, Tain, IV20 1SQ ("the Property")

Title No: ROS10771

The Parties:-

MR and MRS STEPHEN McDONALD formerly residing at Lower Arboll Bungalow, Portnahomack, Tain, IV20 1SQ ("the Tenants")

BRIAN MACLEAY residing at Homelea, Achnairn, Lairg ("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 served on 31 MARCH 14 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 9 April 2015 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

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Re: Property at Lower Arboll Bungalow, Portnahomack, Tain, IV20 1SQ ("the Property")

The Parties:-

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BRIAN MACLEAY residing at Homelea, Achnairn, Lairg ("the Landlord")

Decision

The Private Rented Housing Committee, having made such enquiries as was 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 by the Committee, 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 24 March 2014, 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 24 March 2014. The RSEO required the Landlord:-
 - (a) To carry out such works as are necessary to allow the obtaining of a clear electrical installation condition report from a suitably qualified electrician and to provide a copy of the said certificate to the committee confirming compliance with the relevant regulations.
 - (b) To investigate the condition and operation of the wood burning stove, in particular to ensure that it properly heats the hot water and radiators. The Landlord will require to carry out such works as are necessary to allow this to occur and provide documentary evidence of this from a heating engineer.
 - (c) The Landlord shall install a hardwired interlinked smoke/heat detection system compliant with the current Scottish Government guidance contained in the Building Standards Division (Technical Handbooks) 2013 – Domestic, Fire.
3. A reinspection of the Property was carried out on 19 August 2014 by Mr Angus Anderson, the original Surveyor Member of the Committee. The Surveyor Member reported that from a visual inspection it was apparent that the consumer unit within the Property had been replaced and some electrical outlets had been changed. No electrical installation condition report was available however.

The adequacy of the woodburning stove could not be established from a visual inspection, the boiler not being fired at the time of the inspection. A new tenant had taken occupation of the Property. She confirmed that as far as she was aware, it worked satisfactorily. From a visual inspection it was apparent that smoke alarms had not been upgraded.

The Committee was aware that there seemed to have been a breakdown in communication between the Landlord's previous letting agents and the Landlord. The Landlord had not fully been aware of the obligations upon him. The Landlord undertook subsequent to the reinspection to provide an electrical installation condition report and to install the appropriate smoke alarms.

In due course the evidence of the installation of compliant smoke alarms was provided.

An electrical installation condition report was provided in due course but this highlighted that there was a problem with the electrical supply to the Property and this would require to be resolved by SSE plc. In due course confirmation from SSE plc was given that they had made safe the supply to the Property.

The Committee considered matters. It had taken the Landlord longer than it ought to have to achieve compliance. Nonetheless, compliance had now been achieved. The Committee was satisfied that there was no longer any public interest in the RSEO remaining in place.

Decision

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

Right of Appeal

6. **A landlord 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

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.

Signed **E. Miller**
Chairperson

..... Date..... *10/4/2015*