

Housing and Property Chamber First-tier Tribunal for Scotland



First-tier Tribunal for Scotland (Housing and Property Chamber)

Certificate of completion of work: Housing (Scotland) Act 2006 Section 60

Chamber Ref: FTS/HPC/RT/18/0726

Title no/Sasines Description: REN96323

Property Address: 7 Quarry Road, Paisley PA2 7RD (“the property”)

The Parties: Ms Leana Zaccarini, 7 Quarry Road, Paisley PA2 7RD (“the tenant”)

Mr David Blackwood, 15/1 Carriagehill Drive, Paisley PA2 6JG (“the Landlords”)

Renfrewshire Council, Renfrewshire House, Cotton Street, Paisley PA1 1BR (“the third party applicant”)

The First-tier Tribunal for Scotland (Housing and Property Chamber “the Tribunal”) hereby certifies that the work required by the Repairing Standard Enforcement Order relative to the property dated 11 July 2018 has been completed. Accordingly, the said Repairing Standard Enforcement Order relative to the property has been discharged.

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 upholding 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: IN WITNESS WHEREOF the presents typewritten on this and the preceding page are subscribed as follows:-

M Thorley

..... Chairing Member

UV
D. S. M. M. U. Place of signing

28. 08. 2018 Date of signing

..... Witness

30. Hopetoun Street Witness address

Edinburgh.....

E.H.F. L.G.H.....

Housing and Property Chamber First-tier Tribunal for Scotland



First-tier Tribunal for Scotland (Housing and Property Chamber)

Revocation of Rent Relief Order: Housing (Scotland) Act 2006 Section 27(4)

Chamber Ref: FTS/HPC/RT/18/0726

Title no/Sasines Description: REN96323

Property Address: 7 Quarry Road, Paisley PA2 7RD (“the property”)

The Parties: Ms Leana Zaccarini, 7 Quarry Road, Paisley PA2 7RD
 (“the tenant”)

Mr David Blackwood, 15/1 Carriagehill Drive, Paisley
 PA2 6JG (“the Landlords”)

Renfrewshire Council, Renfrewshire House, Cotton
 Street, Paisley PA1 1BR (“the third party applicant”)

NOTICE OF REVOCATION

The First-tier Tribunal for Scotland (Housing and Property Chamber) hereby gives notice that the work, required by the Repairing Standard Enforcement Order relative to the House served on 11 July 2018 has been completed. Accordingly, the Rent Relief Order relative to the house is revoked.

Reference should be made to Sections 63(4) and (5) of the Housing (Scotland) Act 2006 for information as to the date when the revocation will take effect. To ascertain the last day on which the decision can be appealed which is referred to in Section 63(5), please refer to the information note on appeals and reviews, a copy of which is attached.

A party aggrieved by the decision of the tribunal may appeal to the Upper Tribunal for Scotland on a point of law only. Before an appeal can be made to the Upper Tribunal, the party must first seek permission to appeal from the First-tier Tribunal. That party must seek permission to appeal within 30 days of the date the decision was sent to them.

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 the Upper Tribunal, and where the appeal is abandoned or finally determined by upholding 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.

M Thorley

Signed
Legal Member and Chairman

Date 28th Oct 2019

Housing and Property Chamber First-tier Tribunal for Scotland



First-tier Tribunal for Scotland (Housing and Property Chamber)

Statement of Decision: Housing (Scotland) Act 2006

Chamber Ref: FTS/HPC/RT/18/0726

Title no/Sasines Description: REN96323

Property Address: 7 Quarry Road, Paisley PA2 7RD (“the property”)

The Parties: Ms Leana Zaccarini, 7 Quarry Road, Paisley PA2 7RD (“the tenant)

Mr David Blackwood, 15/1 Carriagehill Drive, Paisley PA2 6JG (“the Landlord”)

Renfrewshire Council, Renfrewshire House, Cotton Street, Paisley PA1 1BR (“the third party applicant”)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the tribunal”), having made such enquiries as was appropriate for determining whether the landlords have complied with the Repairing Standard Enforcement Order (RSEO) in relation to the property concerned and taking account of the subsequent re-inspection of the property, determined that the landlords have complied with the order and that a Certificate of Completion of Work to that effect should be issued in terms of Section 60 of the Housing (Scotland) Act 2006.

Background

1. By way of decision dated 6 July 2018 the tribunal issued a determination that the landlord failed to comply with the duties imposed by Section 14(1)(b) of the Housing (Scotland) Act 2006 (“the Act”).
2. The Tribunal issued an RSEO on the property dated 11 July 2018 requiring the landlords:-
 - (a) To carry out such works as are necessary to ensure there is an acceptable provision for detecting fires and for giving warning in the vent of fire or suspected fire.
 - (b) To carry out such works as are necessary to ensure that there is an acceptable provision for giving warning if carbon monoxide is present in a concentration that is hazardous to health.
 - (c) To instruct and obtain a gas safety certificate which report should be carried out by a suitably qualified and registered gas engineer and carry out such works as is necessary to rectify any identified issue and provide the tribunal with a report from a suitably qualified and registered gas engineer confirming that the works are completed.

- (d) To instruct a certified electrical installation condition report and portable appliance test which report should be carried out by a suitably qualified and registered SELECT or NICE electrical contractor, to carry out such works as are necessary to rectify any identified issues in the report and provide the tribunal with a report from a suitably qualified and registered SELECT or NICE electrical contractor confirming that the works are completed.
 - (e) To instruct a suitably qualified tradesman to investigate the cause of dampness in the property and to provide a report to the tribunal, to carry out any works recommended by the report and provide evidence that the works have been completed satisfactorily in order to show the house is wind and watertight and in all other respects reasonably fit for human habitation. The tribunal orders that the works specified in this order must be carried out and completed within a period of twenty eight days from the date of service of this notice.
3. On 25 April 2019 a re-inspection of the property was carried out by Mr David Godfrey, Ordinary Member and Qualified Surveyor of the Tribunal. In attendance along with the Ordinary Member was the landlord Mr David Blackwood accompanied by Ms Elaine Hamill. Mr Greg Mitchell was present on behalf of the tenant and the third party applicant Renfrewshire Council were represented by Elaine McIntosh.
 4. The following was noted:-
 - (a) Smoke detectors had been installed in the hall and living room and a heat detector had been installed in the kitchen.
 - (b) A carbon monoxide detector has been installed in the kitchen.
 - (c) An Electrical Installation Condition Report was provided by the landlord. The report was prepared by Mr R Gordon of RMG Electrical and is dated 12 July 2018.
 - (d) The electrical fuse box has been replaced.
 - (e) A Gas Safety Certificate prepared by Kevin Slattery of CG Plumbing and Heating, 20 Strathcarron Road, Paisley PA2 7DL (Gas Safe Registration No. 502345) dated 13 November 2018 was provided.
 - (f) A PAT Testing Certificate prepared by John Connolly Electrical, 20 Limeview Avenue, Paisley PA2 8NB dated 12 April 2019 was provided.
 - (g) Sections of the kitchen party wall with the shower room have been replastered.
 5. Subsequently it was noted that Mr Kevin Slattery appeared not to be gas safety registered. A further certificate was produced dated 5 June 2019 from a company GCA Plumbing and Heating which confirms that all gas installations have passed.
 6. The Tribunal determined that the works as required to be performed under the RSEO had been performed.

Right of Appeal

A landlord, tenant or third party applicant aggrieved by the decision of the tribunal may appeal to the Upper Tribunal for Scotland on a point of law only. Before an appeal can be made to the Upper Tribunal, the party must first seek permission to appeal from the First-tier Tribunal. That party must seek permission to appeal within 30 days of the date the decision was sent to them.

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 the Upper Tribunal, and where the appeal is abandoned or finally determined by upholding 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.

M Thorley

Signed

...

Chairperson

Date

M Thorley
28th Oct 2018