

**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/18/1378

**Title no: Subjects 13 GLENBUCHTY PLACE, FRASERBURGH AB43 9QT. VIEW
TITLE ABN 7949**

**13 Glenburchty Place, Fraserburgh AB43 9QT
("The Property")**

The Parties:-

**Aberdeenshire Council, Housing Strategy, Gordon House, Inverurie AB51 3WA
("the Third Party Applicant")**

**Mr Juris Kuzmickis, 13 Glenburchty Place, Fraserburgh AB43 9QT
("the Tenant")**

**Mr Colin Todd, 156C Finnart Street, Greenock PA16 8HY
(represented by their agent Forbes Property, 68 Broad Street, Fraserburgh
AB43 9AS
("the Landlord"))**

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 served on 30 August 2018 has been completed. Accordingly, the said Repairing Standard Enforcement Order relative to the property has been discharged.

A landlord, tenant or third party applicant aggrieved by the decision of the tribunal may seek permission to appeal from the First-tier Tribunal on a point of law only within 30 days of the date the decision was sent to them.

In witness whereof these presents type written on this page are executed by Graham Harding, solicitor, 20 York Street, Glasgow, chairperson of the Tribunal at Perth on 24 June 2019 before this witness:-

G Harding

A J Honeyman

_ witness

Chairperson

AMANDA JANE HONEYMAN name in full

7 WHITEFRIGS CR address
PERTH PH2 0PA

Housing and Property Chamber First-tier Tribunal for Scotland



First-tier Tribunal for Scotland (Housing and Property Chamber) 5th

Decision: Housing (Scotland) Act 2006 (“the 2006 Act”), Section 60

Chamber Ref: FTS/HPC/RT/18/1378

**13 Glenburchy Place, Fraserburgh AB43 9QT
 (“The Property”)**

The Parties:-

**Aberdeenshire Council, Housing Strategy, Gordon House, Inverurie AB51 3WA
 (“the Third Party Applicant”)**

**Mr Juris Kuzmickis, formerly residing at 13 Glenburchy Place, Fraserburgh
 AB43 9QT
 (“the Tenant”)**

**Mr Colin Todd, 156C Finnart Street, Greenock PA16 8HY
 (represented by their agent Forbes Property, 68 Broad Street, Fraserburgh
 AB43 9AS
 (“the Landlord”)**

Tribunal Members

Graham Harding (Legal Member)

Mark Andrew (Ordinary Member)

DECISION

1. The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”), having taken account of the findings of the 2nd re-inspection on 21 May 2019 together with the reasons for the Decision of the Tribunal and the Repairing Standard Enforcement Order served on the Landlord on 30 August 2018 determined that the Landlord has complied with the said Repairing Standard Enforcement Order.
2. The Tribunal issued a Certificate of Completion in terms of Section 60 of the Housing (Scotland) Act 2006.
3. The Decision of the Tribunal was unanimous.

Findings in Fact

4. The Landlord has carried out repairs to the roof of the property to prevent water ingress. There is no evidence of water ingress through the roof.
5. The internal masonry wall is no longer damp. Where the gable wall abuts the internal masonry wall the gable wall the internal plaster surface has been replaced over a width of approximately 1m and redecorated to match the rest of the wall decoration. There is no sign of damp in the replacement plasterwork.
6. The walling around the bath has been replaced with shower wall panels which are silicone sealed against the bath.
7. An extractor fan has been fitted to the ceiling of the bathroom. The tenant confirmed that this works properly.
8. The house meets the repairing standard as specified in Section 13 of the 2006 Act.

Reasons for Decision

9. Reference is made to the full terms of (i) the Decision of the Tribunal and (ii) the Repairing Standard Enforcement Order both served on the Landlord on 30 August 2018.
10. Following the 2nd re-inspection of the property on 21 May 2019 by the Ordinary Member of the Tribunal it appeared that all of the works specified in the RSEO have been completed. The Tribunal therefore decided to issue a Certificate of Completion in terms of Section 60 of the 2006 Act on that basis.

A landlord, tenant or third party applicant aggrieved by the decision of the tribunal may seek permission to appeal from the First-tier Tribunal on a point of law only 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.

G Harding