

Housing and Property Chamber

First-tier Tribunal for Scotland



Statement of Decision: Housing (Scotland) Act 1988 Section 24(1)

Chamber Ref: FTS/HPC/RT/19/2764

Title no/Sasines Description: WLN6357

Property Address: 26 Drumacre Road, Bo'ness EH51 9QR ("the house")

The Parties: Falkirk Council ("the Third Party Applicant")

Mrs Doreen Tranent ("the Landlord")

Tribunal Members:

Mark Thorley (Legal Member)

Sara Hesp (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal"), having made such enquiries as was appropriate for determining whether the landlord has complied with the Repairing Standard Enforcement Order ("RSEO") in relation to the property concerned and taking account of the subsequent information provided by the landlord determined that the landlord has 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 2007.

Background

1. On 20 December 2019 the Tribunal issued a decision in terms of Section 24(1) of the 2006 Act and made a Repairing Standard Enforcement Order ("RSEO") requiring the landlord to carry out such works as necessary for the purposes of ensuring that the property meets the repairing standard under Section 13 of the 2006 Act and that any damage caused by the carry out of any work in terms of the RSEO was made good.
2. The subsequent re-inspection took place and the RSEO relative to the property was varied on 3 April 2020 requiring the landlord to do as follows (a) to obtain a minor electrical

insulation works certificate for a socket in the livingroom to be provided by a suitably accredited registered member of the NICEIC/NAPIT.

3. On 14 August 2020 the Tribunal received documentation from the landlord as follows:
 - (a) Minor electrical installation works certificate dated 3 August 2020.
 - (b) Letter from E Jones Builders, Joiners and Plumbers dated 10 August 2020 re electrical certificate work.
4. The third party applicant was provided with the documentation.

Reasons for decision

The Tribunal considered the documentation as provided by the landlord. The documentation confirmed that the changed double socket in the lounge was working satisfactorily.

In the circumstances the Tribunal determined 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

Legal Member

Date

19.8.20