

# Housing and Property Chamber

## First-tier Tribunal for Scotland



**DETERMINATION by the First-tier Tribunal for Scotland (Housing and Property Chamber) under section 60 of the Housing (Scotland) Act 2006**

**Chamber Ref: FTS/HPC/RP/22/3900**

**Property at 38 Princess Drive, Dyce, Aberdeen, AB21 7JY**

**Land Register Title Number ABN41867  
("the Property")**

**The Parties:-**

**Mr Liam Buchan, 38 Princess Drive, Dyce, Aberdeen, AB21 7JY ("the Tenant")**

**Mr Morenikeji Oni, care of 9 Keirhill Gardens, Westhill, Aberdeen AB32 6AZ  
("the Landlord")**

**Tribunal Members:-**

Gillian Buchanan, Legal Member  
Angus Anderson, Ordinary Member

### **Background**

1. On 31 May 2023, the First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") issued a Determination which decided that the Landlord had failed to comply with the duty imposed by Section 14(1) of the Housing (Scotland) Act 2006 ("the 2006 Act"). On the same date, the Tribunal issued a Repairing Standard Enforcement Order ("RSEO") in respect of the Property.
2. In the RSEO the Tribunal ordered that the works specified be carried out and completed within a period of 4 weeks.
3. Following service of the RSEO the Tribunal received written representations from the Respondent's representative dated 28 July 2023 with attachments.
4. On 13 September 2023 the Tribunal carried out an inspection of the Property. The Ordinary Member of the Tribunal prepared a Re-inspection Report which was thereafter issued to the parties.
5. There were no representations from the parties on the Re-inspection Report.
6. The Tribunal carefully considered the Re-inspection Report. Having considered the Tenant's application and made an RSEO, the Tribunal's sole remit is to determine whether the works


required in terms of the RSEO have been undertaken such that the Property meets the Repairing Standard. The Tribunal concluded that all the works required in terms of the RSEO had been carried out and determined that the works were complete.

### **Determination**

7. The Tribunal having carried out a re-inspection considered that all works required in terms of the RSEO have been carried out and is able to certify that the work has been done.
8. Accordingly the Tribunal determined to issue a Certificate of Completion in respect of the Property.

### **Appeal**

9. **In terms of Section 46 of the Tribunal (Scotland) Act 2014, 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.**

Sign   
Legal Member

Date 19 October 2023