

Housing and Property Chamber

First-tier Tribunal for Scotland



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

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

Chamber Ref: FTS/HPC/RT/23/0489

Title no: ANG46640

2/2 51 North Street, Dundee DD3 7RS ("the House")

The Parties:

**Dundee City Private Sector Services Unit, 5 City Square, Dundee DD1 3BA
("the Third Party Applicant")**

Fixrole Limited 12 Milton Street, Dundee DD3 6QQ ("the Landlord")

Tribunal Members

Graham Harding (Legal Member)

Sara Hesp (Ordinary Member)

DECISION

1. The First-tier Tribunal for Scotland (Housing and Property Chamber) ('the Tribunal'), having taken account of the findings of the re-inspection on 3 October 2023 and the photographs received from the Landlord's representatives on 6 November 2023 and the documentation received on 21 December 2023 together with the reasons for the Decision of the Tribunal and the Repairing Standard Enforcement Order served on the Landlord and dated 12 June 2023 and varied on 24 November 2023 determined that the Landlord has complied with the said Repairing Standard Enforcement Order as varied.
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 provided a current Electrical Condition Installation Report ("EICR") dated after the date of this order from a SELECT, NICEIC OR NAPIT registered electrician following a full inspection of the electrical installation and

apparatus throughout the Property confirming the installation and apparatus is fully functioning and meets current regulatory standards and containing no category C1 or C2 items of disrepair. The EICR included specific reference to the provision for smoke and heat detection in accordance with existing Scottish Government guidelines.

5. The Landlord has provided a current Portable Appliance Test Certificate in respect of all electrical appliances within the property for which a certificate is required.
6. The electric heater in the living room is in proper working order.
7. The property has been completely redecorated.
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 and dated 12 June 2023.
10. Following the re-inspection of the property on 3 October 2023 by the Tribunal and the subsequent submission by the Landlord's representatives of photographs showing the completion of the refurbishment of the property and the subsequent submission of a current EICR and Portable Appliance Test Certificate 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

Legal Member and Chairperson

Date 24 January 2024

Housing and Property Chamber

First-tier Tribunal for Scotland



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

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Fixrole Limited 12 Milton Street, Dundee DD3 6QQ ("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 12 June 2023 and as varied by Variation dated 24 November 2023 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 are executed by Graham Harding, Legal Member at Perth on 24 January 2024 before this witness:-

J O'Neill

G Harding

witness

name in full

Address