

# Housing and Property Chamber First-tier Tribunal for Scotland

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**First-tier tribunal for Scotland (Housing and Property Chamber)**

**STATEMENT OF DECISION: Housing (Scotland) Act 2006**

**Reference number: FTS/HPC/RT/24/0545**

**Re: Property at 15 King Street, Falkirk, FK2 9AL (“the Property”)**

**Title Number: STG12224**

## **The Parties:**

**Falkirk Council, Private Sector Team, Suite 2, The Forum, Callendar Business Park, Falkirk, FK1 1XR (“The applicant”)**

**Ms Yvonne Baird, residing at 3 The Steadings, Milnquarter Farm, Roman Road, Bonnybridge, FK4 2FJ (“the Landlord”)**

## **Interested Party:**

**Mrs Andrea Stamate, residing at 15 King Street, Falkirk, FK2 9AL (“the Tenant”)**

## **Tribunal Members:**

**Paul Doyle (Legal Member)**

**Sara Hesp (Surveyor Member)**

## **Unanimous Decision of the Tribunal**

The First-tier tribunal for Scotland (Housing and Property Chamber) (‘the tribunal’) certifies that the work required by the Repairing Standard Enforcement Order relative to the Property made on 25 June 2024 has been completed. Accordingly, the said Repairing Standard Enforcement Order is discharged.

## **Background**

(1) On 25 June 2024 the First-tier Tribunal for Scotland (Housing and Property Chamber) (“the tribunal”) issued a decision requiring the Landlord to comply with the repairing standard enforcement order (“RSEO”) made by the tribunal the same day.

(2) The Repairing Standard Enforcement Order (“RSEO”) required the Landlord to

(a) Instruct a suitably qualified SELECT, NICEIC or NAPIT registered electrician to carry out a certified electrical inspection of the entire electrical installation in the property (and any electrical appliances and equipment supplied by the landlord) and carry out all necessary remedial works to rectify any identified C1 and C2 categorised areas.

(b) Thereafter to provide the First-tier Tribunal for Scotland (HPC) with a satisfactory EICR prepared by a suitably qualified SELECT, NICEIC or NAPIT registered contractor.

All within 30 days of service of the RSEO.

## **Compliance**

(3) By email dated 27/06/2024 the Landlord sent to the tribunal a satisfactory EICR by a NICEIC registered contractor dated 20/03/2024.

(4) The tribunal is now satisfied that the work required by the RSEO have been completed.

## **Decision**

(5) The tribunal therefore decided to issue a certificate of completion of works in terms of s.60 of the Housing (Scotland) Act 2006.

## **Right of Appeal**

(6) In terms of section 46 of the Tribunals (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.

(7) 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.

Signed .. **P Doyle**  
Legal Member

8 July 2024