

# 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/RP/23/1600**

**341C Brook Street, Broughty Ferry, Dundee DD5 2DS  
 (“The Property”)**

**The Parties:-**

**Mr Edward Staples, 341C Brook Street, Broughty Ferry, Dundee DD5 2DS  
 (“the Tenant”)**

**Mr Peter Campbell, 23 Beechgrove, Monifieth, Dundee DD5 4TE  
 (“the Landlord”)**

**Tribunal Members**

**Graham Harding (Legal Member)**

**Robert Buchan (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-inspections on 12 June and 12 September 2024, the evidence obtained at the hearing on 12 September 2024 together with the reasons for the Decision of the Tribunal and the Repairing Standard Enforcement Order served on the Landlord and dated 26 September 2023 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 such works to the property as were necessary to ensure that the property is wind and water tight and in all other respects reasonably fit for human habitation. This work has included removal of vegetation and comprehensive repairs of defective elements of the roof

coverings, sealing of open joints on the chimney stacks, the drying out of the interior, repair of damaged plasterwork and the making good of internal decoration.

5. There was no evidence of penetrating damp at the inspection on 12 September 2024. A copy of the Reinspection report is attached to this decision.
6. The house meets the repairing standard as specified in Section 13 of the 2006 Act.

#### **Reasons for Decision**

7. Reference is made to the full terms of (i) the Decision of the Tribunal and (ii) the Repairing Standard Enforcement Order ("RSEO") both served on the Landlord and dated 26 September 2023.
8. Following the re-inspections of the property on 12 June 2024 by the Tribunal and the subsequent re-inspection and hearing by the Tribunal on 12 September 2024 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.

Graham Harding

Graham Harding  
Legal Member and Chairperson

Date 17 September 2024

# Housing and Property Chamber

## First-tier Tribunal for Scotland



### First-tier Tribunal for Scotland (Housing and Property Chamber) Housing (Scotland) Act 2006 Property Re-inspection Report



**Property address:** 341C Brook Street, Broughty Ferry, Dundee DD5 2DS

**Chamber Reference Number:** FTS/HPC/RP/23/1600

**Date of re-inspection:** 12<sup>th</sup> September 2024

**Surveyor:** R Buchan, FRICS

**Circumstances of inspection:** The weather was dry and sunny. The property is vacant. A full inspection was provided.

**In attendance:** The Legal member, Mr G Harding, and the Landlord, Mr P Campbell.

### **Repairing Standard Enforcement Order (RSEO)**

An RSEO was served on the Landlord, Mr. P Campbell following the decision of the Tribunal dated 21<sup>st</sup> September 2023.

The Landlord was required to carry out the following work under the terms of the RSEO:

To carry out such works to the property as are necessary to ensure that the property is wind and water tight and in all other respects reasonably fit for human habitation. This work should include removal of vegetation and comprehensive repair of defective elements of the roof coverings, sealing of open joints on the chimney stacks, the drying out of the interior, repair of damaged plasterwork and the making good of internal decoration.

### **Works carried out**

The Landlord has undertaken the following work since the inspection and hearing:-

Extensive roof repairs have been carried out and the Landlord helpfully provided photographs of the repairs to the parts of the roof which cannot be seen from ground level.

A re-inspection was carried out on the 12<sup>th</sup> June 2024 and this noted that there was extensive dampness but with indications that this was residual and that the interior was drying out. Vegetation was noted on the gable stack. Following a hearing, it was agreed that a further re-inspection be carried out after allowing time for the interior to dry out and the vegetation to be removed.

This further re-inspection confirmed that the interior has dried out such that the interior has been redecorated and some new carpets have been laid. The vegetation on the gable has been removed.

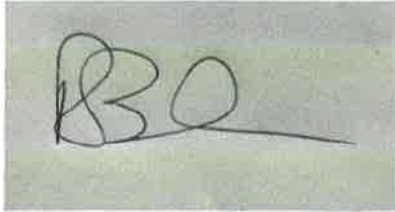
### **Outstanding works**

No outstanding works were identified.

Photographs were taken and are attached to this report.

**-inspection report**

341C Brook Street, Broughty Ferry, Dundee DD5 2DS Ref: FTS/HPC/RP/23/1600



R Buchan, FRICS,  
12<sup>th</sup> September 2024.

**Schedule of photographs attached to re**



The kitchen



Bay window in the kitchen

**-inspection  
report**

341C Brook Street, Broughty Ferry, Dundee DD5 2DS Ref: FTS/HPC/RP/23/1600  
**Schedule of photographs attached to re**



The back bedroom

**-inspection  
report**

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No dampness noted

**Schedule of photographs attached to re**



**-inspection  
report**

341C Brook Street, Broughty Ferry, Dundee DD5 2DS Ref: FTS/HPC/RP/23/1600



The Living-room

**-inspection  
report**

341C Brook Street, Broughty Ferry, Dundee DD5 2DS Ref: FTS/HPC/RP/23/1600



The front bedroom