

**Housing and Property Chamber**  
**First-tier Tribunal for Scotland**



**Certificate of Completion of the First-tier Tribunal for Scotland**  
**(Housing and Property Chamber)**  
**under section 60(5) of the Housing (Scotland) Act 2006**

**CERTIFICATE OF COMPLETION**

**Chamber Reference: PRHP/RT/16/0279 and PRHP/RT/16/0280**

**Property 6 B, Academy Street, Dumfries, DG1 1BY being part of the subjects described in the Disposition by Paul Gulzara Singh and others as Trustees for their firm of Alpine Properties in favour of Victor Balwinder Singh dated 30<sup>th</sup> November 1993 and recorded in the Division of the General Register of Sasines for the County of Dumfries on 11<sup>th</sup> January 1994 (Search Sheet Number 9256) ('the Property')**

**Dumfries and Galloway Council, Municipal Chambers, Buccleuch Street, Dumfries, DG1 2AD ('the Third Party Applicant')**

**Victor Singh and Mrs Elayne Singh residing at Beechwood Bank, Nithbank, Dumfries, DG1 2RZ ('the former Landlords')**

**L Murray Builder Limited having their registered office at Savannah Main Road, Ecclefechan, Lockerbie, DG11 3BT ('The Landlords')**

**Miss Paula Curley residing formerly at 6, Academy Street, Dumfries, DG1 1BY ('the former Tenant')**

**Tribunal Members:**

**Jacqui Taylor (Chairperson) and Robert Buchan (Ordinary Member)**

The Tribunal hereby certifies that the works required by the **Repairing Standard Enforcement Order** dated 4<sup>th</sup> November 2016 ('RSEO') which required the Landlord to:

- 1. Repair the roof of the Property, including the communal stairwell, to render it wind and water tight and in proper working order.*
- 2. Repair or replace the broken window in the stairwell.*
- 3. Repair or replace the window joinery and fascias of the dormer windows to render them in a reasonable state of repair and in proper working order.*
- 4. Repair or replace the defective rendering between the roof at the front of the property and the adjoining building to render it wind and watertight and in a reasonable state of repair and in proper working order.*

5. Remove the vegetation from the downpipes and rainwater fittings to render them in proper working order.
  6. Reinststate the fallen ceiling in the front bedroom and repair the bathroom ceiling to render them in a reasonable state of repair and in proper working order.
  7. Repair the water ingress to the hall cupboard to render it wind and water tight and repair or replace the damp hardboard flooring of the hall cupboard.
  8. Repair or replace the kitchen window to render it in proper working order.
  9. Provide the PRHC with an unqualified Electrical Installation Condition Report on the electrical installation (including the smoke and heat detectors) and carry out any required works.
  10. Reinststate or replace the boiler and make good the holes in the external wall. Thereafter provide a report from a suitably qualified heating engineer to confirm that the boiler and heating system are in a reasonable state of repair and in proper working order.
  11. Provide a compliant Gas Safety Certificate to the PRHC.
- The Private Rented Housing Committee ordered that the works be carried out and completed by **31st** January 2017.'

Have been Completed and the RSEO has been discharged.

#### **Appeals**

**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.**

**In Witness whereof these presents typewritten on this and the preceding ~~two~~<sup>ST</sup> pages are executed by Jacqui Taylor, Solicitor, Chairperson of the Tribunal at Glasgow on 18<sup>th</sup> November 2024 in the presence of the witness Lynn Coy of 20 York Street, Glasgow, G2 8GT:**

# J Taylor

# Housing and Property Chamber

## First-tier Tribunal for Scotland



### Statement of Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) under section 60(5) of the Housing (Scotland) Act 2006

Chamber Reference: PRHP/RT/16/0279 and PRHP/RT/16/0280

Property 6 B, Academy Street, Dumfries, DG1 1BY being part of the subjects described in the Disposition by Paul Gulzara Singh and others as Trustees for their firm of Alpine Properties in favour of Victor Balwinder Singh dated 30<sup>th</sup> November 1993 and recorded in the Division of the General Register of Sasines for the County of Dumfries on 11<sup>th</sup> January 1994 (Search Sheet Number 9256) ('the Property')

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L Murray Builder Limited having their registered office at Savannah Main Road, Ecclefechan, Lockerbie, DG11 3BT ('The Landlords')

Miss Paula Curley residing formerly at 6, Academy Street, Dumfries, DG1 1BY ('the former Tenant')

#### **Tribunal Members:**

**Jacqui Taylor (Chairperson) and Robert Buchan (Ordinary Member)**

#### **1. The Repairing Standard Enforcement Order.**

The Tribunal issued a Repairing Standard Enforcement Order ('RSEO') in respect of the Property dated 4<sup>th</sup> November 2016 which required the Landlords to:-

- 1. Repair the roof of the Property, including the communal stairwell, to render it wind and water tight and in proper working order.*
- 2. Repair or replace the broken window in the stairwell.*
- 3. Repair or replace the window joinery and fascias of the dormer windows to render them in a reasonable state of repair and in proper working order.*
- 4. Repair or replace the defective rendering between the roof at the front of the property and the adjoining building to render it wind and watertight and in a reasonable state of repair and in proper working order.*
- 5. Remove the vegetation from the downpipes and rainwater fittings to render them in proper working order.*
- 6. Reinstate the fallen ceiling in the front bedroom and repair the bathroom ceiling to render them in a reasonable state of repair and in proper working order.*

7. Repair the water ingress to the hall cupboard to render it wind and water tight and repair or replace the damp hardboard flooring of the hall cupboard.

8. Repair or replace the kitchen window to render it in proper working order.

9. Provide the PRHC with an unqualified Electrical Installation Condition Report on the electrical installation (including the smoke and heat detectors) and carry out any required works.

10. Reinstate or replace the boiler and make good the holes in the external wall. Thereafter provide a report from a suitably qualified heating engineer to confirm that the boiler and heating system are in a reasonable state of repair and in proper working order.

11. Provide a compliant Gas Safety Certificate to the PRHC.

The Private Rented Housing Committee ordered that the works be carried out and completed by **31st** January 2017.'

## **2. Background**

### **2.1 Re Inspections**

The Tribunal attended at the Property on 17<sup>th</sup> June 2024 and 4<sup>th</sup> October 2024. The parties were present at the reinspection. The Property has been substantially renovated since the date of the RSEO. Flats 6a and 6b Academy Street, Dumfries have been formed. The reinspection reports are attached hereto and referred to for their terms.

2.2 The Landlords confirmed that they agreed with the findings of the reinspection report dated 17<sup>th</sup> June 2024. They did not confirm that they agreed with the findings of the reinspection report dated 4<sup>th</sup> October 2024. However, they sent the Tribunal an email dated 25<sup>th</sup> October 2024 which asked if the matter is now finished.

2.3 The Third Party sent the Tribunal emails dated 2<sup>nd</sup> July 2024 and 24<sup>th</sup> October 2024 confirming that they agreed with the reinspection reports.

2.4 Electrical Installation Certificate ('EIC').

The Landlords provided a copy of the EIC report dated 7<sup>th</sup> October 2024. The report had been prepared by RJW Electrical Services Limited. The report confirmed that the electrical installation was new and that it complied with BS 7671:2018.

## **3. Decision**

3.1 The Tribunal determined that the RSEO has been complied with

3.2 The decision of the Tribunal was unanimous.

## **4. Appeals**

**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.**

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Signed.....**J Taylor**  
Chairperson

Date 18<sup>th</sup> November 2024