

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Statement of Decision under Section 60 of the Housing (Scotland) Act 2006

Chamber Ref: FTS/HPC/RP/23/2910

**100 Hawick Drive, Dundee DD4 0TD
("The Property")**

The Parties:-

**Ms Amy Knowles, 100 Hawick Drive, Dundee DD4 0TD
("the Tenant")**

**Mr Ben Holohan, Lochend Farm, Coylton, Ayr, South Ayrshire KA6 6JS
("the Landlord")**

Tribunal Members

Graham Harding (Legal Member)

Robert Buchan (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) ('the Tribunal') determined that the repairs detailed in the Repairing Standard Enforcement Order dated 20 April 2023 have been satisfactorily completed as confirmed in the reinspection report and subsequent emails and further determined that the Landlord has complied with the said Repairing Standard Enforcement Order.

Background

1. Reference is made to the determination of the Tribunal dated 13 February 2024 which determined that the Landlord had failed to comply with the duty imposed by Section 14 (1)(b) of the 2006 Act in that he had failed to ensure that the property met the repairing standard. The Tribunal therefore imposed a RSEO. The works required by the RSEO were:-
 - (a) To repair or replace the kitchen units and worktops, plinths and corning to ensure they are in a reasonable state of repair and proper working order and free from hazards.
 - (b) To inspect the floor inside the back door of the property and to carry out such works are required to ensure that the floor is structurally sound and free from protruding nail and screwheads.

- (c) To seal the hole in the wall below the boiler in the kitchen to ensure that the house is wind and watertight.

The Tribunal order that the works specified in this Order must be carried out and completed within the period three months from the date of service of this Notice.

2. On 3 October 2024 the Tribunal carried out a re-inspection of the property. The Tribunal ascertained that the works at part (a) and (c) above had been carried out but that the works at part (b) had not.
3. The findings of the re-inspection were issued to the parties following the re-inspection and the Landlord by email dated 17 October 2024 advised the Tribunal that the works at (b) above had been completed.
4. By email dated 18 October the Tenant also confirmed that all the works had been completed.
5. In light of its findings at the reinspection and the subsequent emails from the parties the Tribunal was satisfied that the works had been completed and determined to issue a Certificate of Completion.

Decision

6. The Tribunal determined that the repairs detailed in the Repairing Standard Enforcement Order dated 13 February 2024 have been satisfactorily completed as confirmed in the reinspection report and subsequent emails and further determined that the Landlord has complied with the said Repairing Standard Enforcement Order.

A landlord or tenant 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

21 October 2024 2024
Date