

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



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

**STATEMENT OF DECISION OF THE HOUSING AND PROPERTY  
CHAMBER OF THE FIRST-TIER TRIBUNAL FOR SCOTLAND UNDER  
SECTION 60(5) OF THE HOUSING (SCOTLAND) ACT 2006**

**Chamber Ref: FTS/HPC/RT/24/0107**

**Sasine Register: STG57731**

**72 High Station Road, Falkirk FK1 5QX  
("the Property")**

**The Parties:-**

**Falkirk Council, Private Sector Team, The Forum, Suite 1, Callendar  
Business Park, Falkirk FK1 1XR  
("the third party applicant")**

**Li Huang, 1 Polwarth Avenue, Brightons, Falkirk FK2 0HQ  
("the Landlord")**

**Jia Hui Wang, 72 High Station Road, Falkirk FK1 5QX  
("the Tenant")**

**The Tribunal**

**Richard Mill (Legal Member)  
Sara Hesp (Ordinary Member)**

**Decision**

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") unanimously determined that the Landlord has complied with the Repairing Standard Enforcement Order in respect of the Property made on 13 June 2024 and that a Certificate of Completion should be issued in terms of Section 60(5) of the Housing (Scotland) Act 2006.

## Background

1. The Tribunal made a Repairing Standard Enforcement Order (RSEO) dated 13 June 2024 which required the Landlord:-
  1. A current Gas Safety Certificate from a registered Gas Safe engineer which is satisfactory, contains no faults and also refers to the provision for carbon monoxide detection, if applicable.
  2. A current satisfactory Electrical Installation Condition Report (EICR) from a SELECT, NICEIC or NAPIT accredited electrician in respect of the property, containing no Category C1 or C2 items of disrepair. In the event that the landlord has supplied any portable appliances as part of the tenancy then evidence of satisfactory PAT testing must also be supplied.
  3. Evidence of the provision for smoke and heat detection in accordance with existing Scottish Government statutory guidelines.
2. The following documents have been produced by the landlord:-
  - a. An Electrical Installation Condition Report (EICR) prepared by R Hamilton dated 23 July 2024. The overall assessment of the installation is stated to be satisfactory with no category C1 or C2 items of disrepair.
  - b. A Gas Safety Certificate prepared by P Ward dated 13 August 2024 which discloses that the gas supply has been capped, no faults noted, and a functioning carbon monoxide alarm is present.
  - c. Photographs of smoke and heat alarms.
3. The Tribunal reinspected the property on 20 January 2025. Reference is made to the schedule of photographs which is attached to this decision.
4. The Tribunal is satisfied that the EICR and Gas Safety Certificate evidence that the supply of electricity and gas in the property is safe. Further, the Tribunal was satisfied, at the time of their inspection of the property on 20 January 2025, that there are sufficient interlinked smoke and heat detectors in the property to comply with the Scottish Government Statutory Guidance for the purposes of the detection of smoke and heat.
5. The Tribunal is satisfied that there are now no outstanding issues arising from the RSEO. The property now meets the repairing standard. The Tribunal accordingly determined that the landlord has complied with the Repairing Standard Enforcement Order made on

13 June 2024 and that a Certificate of Completion should be, in these circumstances, issued.

6. The Tribunal is also satisfied that the Rent Relief Order dated 5 September 2024 should now be revoked.

### Right of Appeal

7. 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.
8. 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 type written on this and the preceding page(s) are executed by Richard George Mill, solicitor, 69-71 Dalry Road, Edinburgh EH11 2AA, legal member of the Tribunal at Edinburgh on 20 January 2025 before this witness:-

**R Mill**

Legal Member

**C McNaught**

Witness

CATHERINE MCNAUGHT Name

69-71 DALRY ROAD Address

EDINBURGH

EH11 2AA