

# **Housing and Property Chamber**

## **First-tier Tribunal for Scotland**

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

#### **First-tier Tribunal for Scotland (Housing and Property Chamber) Certificate of Completion of Work under Section 60 of the Housing (Scotland) Act 2006 as amended ("the Act")**

**RE: 21 Printers Land, Clarkston, Glasgow, G76 8HP being the subjects registered in the Land Register of Scotland under Title Number LAN60818 ("the House")**

**The Parties:-**

**Emma-Louise Fergus, 1-3 Main Street, East Kilbride, South Lanarkshire, G74 4JH ("the Landlord")**

**Case Reference FTS/HPC/RP/24/1069**

The First-tier Tribunal for Scotland ('the Tribunal') having determined on 9th September 2025 that the work required by the Repairing Standard Enforcement Order relative to the House registered in the Land Register on 27th August 2024 has been completed, the said **Repairing Standard Enforcement Order is hereby revoked with effect from the date of service of this Notice.**

A landlord 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.

In terms of Section 63 of the Act, 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 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 are executed by Mrs Aileen Devanny, Chamber President of the Tribunal, at Glasgow on the Tenth day of September, Two thousand and twenty five in the presence of the undernoted witness:-

# A Devanny

# **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 UNDER SECTION**

**26(1) OF THE HOUSING (SCOTLAND) ACT 2006 ("the Act")**

**21 Printers Land, Clarkston, Glasgow, G76 8HP being the subjects registered in the Land Register of Scotland under Title Number LAN60818 ("the House")**

**The Parties:-**

**Emma-Louise Fergus, 1-3 Main Street, East Kilbride, South Lanarkshire, G74 4JH ("the Landlord")**

**Case Reference FTS/HPC/RP/24/1069**

The Tribunal comprised Mrs. Aileen Devanny, Chamber President, and Mrs Lori Charles, Ordinary Member (Surveyor)

### **DECISION**

The First-tier Tribunal for Scotland ("the Tribunal"), has made such enquiries as is fit for the purposes of determining whether the Landlord has complied with the Repairing Standard Enforcement Order registered in the Land Register on 27 August 2024 (hereinafter referred to as "the RSEO") in relation to the House. Having taken account of findings from (1) an inspection of the House on 13 March 2025 that confirmed the mechanical extract fan met the repairing standard; and (2) a video submitted by the Landlord confirming that blinds fitted are in good working order, the Tribunal considers that the Landlord had satisfactorily completed the works detailed in the RSEO. The Tribunal has decided to issue a certificate of completion of works in terms of Section 60 of the Act and order revocation of the RSEO.

## **BACKGROUND**

1. Reference is made to the Determination of the First-tier Tribunal for Scotland Housing and Property Chamber dated 22 July 2024 which decided that the Landlord had failed to comply with the duty imposed by Section 14(1)(b) of the Housing (Scotland) Act 2006 ("the Act") and to the Repairing Standard Enforcement Order ("the RSEO") dated 19 July 2024. The Determination confirmed that the Landlord had failed to ensure that the House met the Repairing Standard and in particular, the Landlord has failed to comply with Section 13(1) (d) of the Act.

The Tribunal proceeded to make a Repairing Standard Enforcement Order ("RSEO") as required by section 24(1) of the Act. The Tribunal determined to require the Landlord to:

- a. Repair or replace the extractor fan over the cooker in the kitchen of the House so that it is in a reasonable state of repair and in proper working order; and
- b. Replace the blind in the living room of the House so that it is in a reasonable state of repair and in proper working order.

The Tribunal ordered that the works specified in the RSEO be carried out and completed by 20 August 2024. The decision of the Tribunal was unanimous.

2. On 29 January 2025, a re-inspection of the House was undertaken by tribunal members, who did not obtain entry despite notifying the Landlord of the date and time of the re-inspection. The tenant has vacated the House by this date. Tribunal members carried out a further re-inspection on 13 March 2025. At this further re-inspection, the tribunal found that the mechanical extractor fan was in working order and met the repairing standard, but the mechanism housing the cord to open and close the blinds was broken and the blinds remain in the closed position.

3. The Landlord has intimated that the House is to be sold and submitted a video showing that the mechanism for the blinds met the repairing standard and the blinds could be opened and closed

## **DECISION AND REASONS**

4. The house is to be sold and the Landlord has requested that the RSEO be revoked. The Landlord has provided evidence to confirm that the defects in the blinds have been rectified. The Tribunal considers that a certificate of completion should be issued in terms

of Section 60 of the Act. The members of the Tribunal were unanimous in their decision.

## **APPEAL PROVISIONS**

**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.**

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.

# A Devanny

Dated 9 September 2025