

# **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/20/2525**

**Title no: STG46574**

**94 Alyth Drive, Polmont FK2 0YW  
("the Property")**

**The Parties:-**

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

**Mr Ronald Peddie, Callendarfield, Burnbrae Gardens, Falkirk FK1 5SB  
("the landlord")**

**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 11 June 2021 and that a Certificate of Completion should be issued in terms of Section 60(5) of the Housing (Scotland) Act 2006. Further, it is unanimously determined that the Rent Relief Order made on 9 September 2021 be revoked.

## **Background**

1. The Tribunal made a Repairing Standard Enforcement Order (RSEO) dated 11 June 2021 which required the landlord to produce the following :-

“An 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, which also refers to the provision for smoke and heat detection in accordance with Scottish Government guidance.”
2. On 9 September 2021 the Tribunal found that the landlord had failed to comply with the RSEO and the corresponding Decision, Rent Relief Order and Notice to Local Authority was issued.
3. An EICR dated 7 February 2025 has now been produced. This has been prepared by SDM Electrical Limited which is an NICEIC approved contractor. No C1 or C2 category issues have been identified. The electrical installation is classified to C3 with it being noted that various fixtures and fittings are worn and dated.
4. The Tribunal is satisfied that the RSEO has now been complied with. It is noted that the landlord is in the process of selling the property.
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 11 June 2021 and that a Certificate of Completion should be, in these circumstances, issued.
6. The Rent Relief Order dated 9 September 2021 will also 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 30 September 2025 before this witness:-

**R Mill**

Legal Member

**C McNaught**

Witness,

CATHERINE MCNAUGHT Name

69-71 DALRY ROAD Address

EDINBURGH EH11 2AA