



**Statement of Decision of the Housing and Property Chamber of the First-tier Tribunal for Scotland under Section 26 (1) of the Housing (Scotland) Act 2006**

**Chamber Reference number: FTS/HPC/RT/25/2095**

**Re: Property at 8 Corrie Place, Falkirk FK1 4AS (“the Property”)**

**Title No: STG46015**

**The Parties:**

**Falkirk Council Private Sector Team, The Forum, Callendar Business Park, Falkirk FK1 1XR (“the Third-Party Applicants”)**

**Coilin McAlinden and Michael McAlinden, 123 Copland Road, Glasgow G51 2SL (“the Landlords”)**

**Ms Isabel Menzies, 8 Corrie Place, Falkirk FK1 4AS (“the Tenant”)**

**Tribunal Members: George Clark (Legal Member/Chair)  
Sara Hesp (Ordinary (Surveyor) Member)**

**Decision**

**The First-tier Tribunal for Scotland Housing and Property Chamber, having made such enquiries as it saw fit for the purposes of determining whether the Landlords have complied with the duty imposed by Section 14(1)(b) of the Housing (Scotland) Act 2006 determined that the Landlords have not failed to comply with that duty.**

**Background**

1. By application, dated 14 May 2025, the Third-Party Applicants applied to the Housing and Property Chamber of the First-tier Tribunal for Scotland (“the Tribunal”) for a determination of whether the Landlords had failed to comply with the duties imposed by Section 14 (1)(b) of the Housing (Scotland) Act 2006 (“the Act”).
2. The application stated that the Landlords had failed to comply with a Notification of Repair letter issued on 26 February 2025 requiring them to

provide copies of a current Electrical Installation Condition Report (“EICR”) and a Gas Safety Certificate, and confirmation that the Property has interlinked smoke and heat detectors and a carbon monoxide detector. The Landlords had provided a copy of an EICR, and the application was, therefore, restricted to the failure to produce a Gas Safety Certificate and the required confirmation regarding the smoke alarms, heat detector and CO monitor.

3. On 23 October 2025, the Landlords provided the Tribunal with a Gas Safety Record dated 23 May 2025 from a Gas Safe registered engineer. The overall assessment was “Pass”.

### **The Inspection**

4. The Tribunal inspected the Property on the morning of 3 December 2025 and were admitted by the Tenant. The Third-Party Applicants were not present or represented. The Landlords were not present or represented.
5. The Tribunal Members tested the smoke alarms in the ground floor hallway, living room and the upstairs landing and the heat detector in the kitchen and found them to be interlinked and in proper working order. There is also a carbon monoxide detector suitably placed in the kitchen.
6. A Schedule of Photographs, taken at the inspection, is appended to and forms part of this Statement of Decision.

### **The Hearing**

7. Following the Inspection, a Hearing was held at Wallace House, Maxwell Street, Stirling. Neither of the Parties was present or represented. The Tenant was also not present. The Tribunal determined the application in absence of both Parties.

### **Findings of Fact**

- The Property is a semi-detached, two-storey house erected around 2000.
- The Tribunal has seen a current Gas Safety Certificate in respect of the Property.
- There are smoke alarms in the hall and living room and a heat detector in the kitchen. The Tribunal tested them and confirmed that they are interlinked and in proper working order.
- There is a carbon monoxide monitor in the kitchen.

### **Reasons for Decision**

8. The Tribunal is satisfied that there is a current Gas Safety Certificate in respect of the Property.
9. The Property is satisfied that the smoke alarms and heat detector are interlinked and in proper working order.

### **Decision**

10. Having considered carefully all the evidence before it, the Tribunal made a finding that the Landlords have not failed to comply with the duties imposed by Section 14(1)(b) of the 2006 Act.
11. The Tribunal's Decision was unanimous.

### **Right of Appeal**

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.

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 Clark

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Legal Member

3 December 2025  
Date