

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/RP/25/0459

Title No: LAN176695

**2 Newlands Drive, Hamilton ML3 7RL
("the Property")**

The Parties:-

Miss Stephanie Murray, 2 Newlands Drive, Hamilton ML3 7RL

("the tenant")

**Emilio Josa Manzano Sevilla and Zenni Huang Monzano Sevilla, Urb
Penalmar, Bw 34 Calle de la Morena 6, Alicante, 03540, Spain**

("the landlords")

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 28 November 2025 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 28 November 2025 which required the landlord to carry out the following :-

1. Provide evidence that the works recommended by Russell Preservation Damp Specialists scheduled to take place on 1 December 2025 have been completed.
 2. Provide evidence that the bathroom has been fully upgraded in terms of the schedule of works by GM Plumbing dated 29 October 2025 scheduled to take place on 25 November 2025 have been completed.
 3. Instruct and provide to the Tribunal a fresh 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.
 4. Carry out work and evidence that the smoke alarms and heat alarm in the property are interlinked and functioning in accordance with Scottish Government Guidance.
 5. Instruct a suitably qualified contractor to overhaul the windows in the property, adjusting and repairing same, to ensure that all handles operate effectively and that the windows can be opened and closed.
 6. Instruct a suitably qualified contractor to reseal or replace the front door to ensure that the property is wind and watertight.”
2. Following the RSEO being made, the landlords submitted numerous communications providing updates in respect of compliance. On 20 January 2026 a comprehensive submission with supporting documentation was submitted in respect of all relevant components of the RSEO. Supplementary information was provided in an email dated 6 February 2026.

Reasons for Decision

3. All six components of the RSEO have been complied with by the landlords :-
 1. Russell Preservation have completed the recommended works in terms of their Report dated 5 November 2025. An invoice for the completed works has been produced.
 2. The bathroom has been fully refurbished by GM Plumbing and an invoice in respect of the completed work has been produced.
 3. An up to date EICR by a NAPIT accredited electrician has been provided evidencing a satisfactory installation with no Category C1 or C2 items. The inspection was carried out on 15 December 2025.

4. The NAPIT electrician has undertaken rectification work in respect of the smoke alarm and heat alarms which are now interlinked and working. A copy of the Fire Detection and Alarm System Certificate has been produced.
 5. All windows in the property have been inspected and handles changed where necessary. All windows can now be opened and closed effectively.
 6. Remedial work has been undertaken to the front door of the property which has been resealed and trimmed. It is now wind and watertight.
4. The Tribunal was satisfied on the basis of the documentary evidence that all components of the RSEO have now been fully complied with. A reinspection and hearing scheduled for 24 March 2026 has now been cancelled as such further procedure is unnecessary and disproportionate.
 5. The property now meets the repairing standard and the Tribunal accordingly determined that the landlords have complied with the Repairing Standard Enforcement Order made on 28 November 2025 and that a Certificate of Completion should in these circumstances be issued.

Right of Appeal

6. 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.
7. 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,
 legal member of the Tribunal at Edinburgh on
 13 February 2026 before this witness:-

R Mill

_____ Legal Member

C McNaught _____ Witness .

CATHERINE MCNAUGHT Name