

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



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

**STATEMENT OF DECISION: Housing (Scotland) Act 2006, section 24(1)**

**Reference number: FTS/HPC/RT/25/1642**

**Title Number: NS9381NE**

**Re: Property at 103 Oswald Avenue, Grangemouth, FK3 9AZ (“the House”)**

**The Parties:**

**Jayne Quinn, 103 Oswald Avenue, Grangemouth, FK3 9AZ (“the tenant”)**

**Mr Ian Young, 11 Cromwell Road, Maidstone, Kent, ME14 1EX (“the landlord”)**

**Tribunal Members:**

**Susan Christie (Chairing /Legal Member)**

**Greig Adams (Ordinary/Surveyor Member).**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”), having made such enquiries as it saw fit for the purpose of determining whether the Landlord has complied with the duty imposed by Section 14 (1)(b) of the Housing (Scotland) Act 2006 (“the Act”) in relation to the Property, and taking account of all of the available evidence, determined that the Landlord has complied with the duty imposed by Section 14(1) (b) of the Act.**

**Background**

1. By Application accepted by the tribunal on 23 April 2025, the Third-Party Applicant Falkirk Council, Private Sector Team, The Foundry, 4 Central Park Avenue, Central Boulevard, Larbert FK5 4RU, applied to the tribunal under section 22(1A) of the Housing (Scotland) Act 2006 for a determination of whether the Landlord had failed to comply with the duty imposed by section 14 (1)(b) of the Housing (Scotland) Act 2006 (“the Act”).
2. The Application specifically stated that the Third-Party considered that the Landlord had failed to comply with the duty to ensure that the Property meets the repairing standard and thought the Property did not meet the repairing standard set out in Section 13(1) sub sections (c)

and (h).The initial complaint was made was set out in e mail exchanges with the landlord in January 2025, around the landlord registration process for the House and documentation was required, namely a Gas Safety Certificate, an Electrical Safety Certificate('EICR') a Portable Appliance Test for any electrical appliances/white goods within the House and evidence of sufficient fire, smoke and heat detection. Subsequently, the landlord provided the Third-Party with an acceptable Gas Safety Certificate (due for renewal on 23 February 2026) and other information that satisfied the Third-Party. There was also provided an EICR by ANELECTRICAL.

3. The Third-Party then withdrew the application.In terms of Schedule 2 Paragraph 7(1A) a legal member decided to Continue the application as there was no evidence that the electrician who prepared the EICR was a competent electrician as defined in the Scottish Government Statutory Guidance on the Repairing Standard for this purpose; the landlord had provided no evidence of interlinked fire detection devices and a heat alarm in the House and that the landlord had been advised of the requirements in a Direction from the tribunal dated 23 April 2025.
4. An Inspection of the House was assigned for 26 November 2025 at 12.30. at 11.30am.

### **The Inspection**

5. On the morning of 26 November 2025, the Tribunal attended at the Property. The Tribunal inspected the Property in the presence of the tenant who provided access. The weather conditions at the time of the Inspection were cold and dry. Photographs were taken during the Inspection, and these are attached as a Schedule to this Decision.
6. The Property is a ground floor cottage style flat.
7. It was noted that a new consumer unit had been fitted in the House with RCBO protection and surge protection. There was no documentation available to evidence that the works had been carried out by a skilled electrician in line with the Scottish Government Statutory Guidance on the Repairing Standard. Fire safety: sufficient smoke detectors and a heat detector were present and shown to be interlinked.

### **The Hearing- 26 November 2025 at 12.30pm**

8. The Hearing took place today by conference call. Both Parties participated.
9. The detail of this application was discussed and the findings of the inspection. The landlord assumed that the electrician who carried out the work was a skilled person but needed further time to check this with the installing electrician. Accordingly, the tribunal continued consideration of the application and issued a Direction.
10. On 11 February 2026 the landlord provided the tribunal with an EICR carried out by Mackie Electrical Solutions Ltd confirming that an inspection on the electrical safety of the recent new installation had been carried out on 5 February 2026 and the overall assessment of the installation was Satisfactory. The contractor was registered.

## **Findings in fact**

The Tribunal finds the following facts to be established:

- I. The Landlord is the registered Landlord of the Property.
- II. The owner is Doctor Andrew William Quinn, Redwood, Hindhead Road, Haslemere, Surrey, GU27 3PJ.
- III. The tenancy between the landlord and the tenant is a tenancy to which the repairing standard applies.
- IV. The tribunal had sight of a Landlord/Homeowner Gas Safety Record dated 23 February 2026.
- V. The House has an interlinked system of fire and smoke alarms.
- VI. The tribunal has had sight of an Electrical Installation Condition Report (EICR) in relation to the House which was inspected on 5 February 2026 and it has an overall assessment of the electrical installation as Satisfactory.

## **Reasons for Decision**

1. When the application was made to the tribunal by the Third-party it was conceded that electrical works were needed. Over the course of the application the Gas Safety Record was produced, and electrical works were carried out at the House as detailed in the inspection summary. It was noted that a new consumer unit had been fitted in the House with RCBO protection and surge protection. There was no documentation available to evidence that the works had been carried out by a skilled electrician in line with the Scottish Government Statutory Guidance on the Repairing Standard. Fire safety: sufficient smoke detectors and a heat detector were present and shown to be interlinked.
2. On 11 February 2026 the landlord provided the tribunal with an EICR carried out by Mackie Electrical Solutions Ltd confirming that an inspection on the electrical safety of the recent new installation had been carried out on 5 February 2026 and the overall assessment of the installation was Satisfactory.
3. The tribunal is satisfied that there has now been compliance.
4. The Landlord has therefore complied with the duty imposed by section 14 (1) (b) of the Act in respect of the matters complained of in the application as at the date of this Decision. It is based on the findings of the visual inspection as well as the subsequent information/documents given.
5. The decision of the Tribunal is unanimous.

**A landlord, tenant or third-party applicant 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 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.**

# S Christie

Signed:

Legal Member,  
22 February 2026.