



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) in terms of Section 24(1) of the Housing (Scotland) Act 2006 (“the 2006 Act”)

Reference number: FTS/HPC/RP/24/4741

Re: 7 Armadale Road, Whitburn, Bathgate, EH47 0ET (“the Property”)

The Parties:

Mr Russell Barrie (“the Applicant”)

Mr Gary Compton as executor to the estate of the late Ms Anne Compton, Ms Martha Jennifer Sibbald (“the Respondents”)

Tribunal Members :

Alastair Houston (Legal Member); Sara Hesp (Ordinary Surveyor Member)

Decision

The Tribunal certifies that the Respondents have complied with the Repairing Standard Enforcement Order dated 1 October 2025 as the work required has been completed. Accordingly, a certificate of completion has been issued.

1. Background

1.1 By way of decision and Repairing Standard Enforcement Order (“RSEO”) dated 1 October 2025, the Respondents had been required to carry out certain works to the Property, namely:-

- To repair the conservatory at the junction of the conservatory frame and rear elevation to ensure that it is watertight;
- To repair or replace the garage doors so that they are in a reasonable state of repair and proper working order; and
- Check the front gutter to ensure that it is in a reasonable state of repair and in proper working order, and free from plant material.

1.2 The work was required to be completed within three months of the order being made. Within that period, both parties lodged representations pertaining to the works. Following expiry of the period given to carry out the works, the Tribunal determined that it would be appropriate to reinspect the Property.

2. The Reinspection

- 2.1 The reinspection of the Property took place on 10 March 2025. All parties were present at the property during the inspection.
- 2.2 The Applicant confirmed that the conservatory repair appeared to be effective. Despite recent periods of heavy rain, no water ingress had been noted to the conservatory. The Applicant demonstrated that the garage doors were now operable without issue. The Tribunal noted that the guttering to the front of the Property appeared to now be clear of vegetation. Photographs of the Property were taken.

3. The Hearing

- 3.1 A further hearing took place remotely by teleconference following the reinspection. All parties attended personally.
- 3.2 The Applicant confirmed that he was content all steps required by the RSEO had been taken. There was no water ingress ongoing to the conservatory. The garage doors were perfectly operable now. The front guttering had been cleared. The Respondents confirmed that repairs had been carried out.

4. Reasons For Decision

- 4.1 Given that all issues prompting the making of the RSEO had now been addressed and the required works completed, the Tribunal issued a certificate of completion in terms of section 60 of the Housing (Scotland) Act 2006.

Right of Appeal

In terms of Section 46 of the Tribunal (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.

A.Houston
Legal Member
20 March 2026