

# Housing and Property Chamber

## First-tier Tribunal for Scotland

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**Statement relative to Certificate of Completion of Work issued by the First-tier Tribunal for Scotland (Housing and Property Chamber) ('the tribunal')**

**Under section 60 of the Housing (Scotland) Act 2006 ("the 2006 Act")**

**Case Reference Number: FTS/HPC/RP/24/5599**

**Re: 2/1, 17 Glasgow Street, Glasgow G12 8JW ("the house")**

**Land Register Title No: GLA104 214**

**Ms Charlene Hewitt, residing at the house ("The former tenant")**

**Mr Alexander Russell-Smith, 10 Friars Brae, Linlithgow EH49 6BQ ("The landlord")**

**Tribunal Members – Sarah O'Neill (Legal Member) and Lorraine Charles (Ordinary (Surveyor) Member)**

### **Background**

1. The Tribunal issued a Repairing Standard Enforcement Order (RSEO) in relation to the house on 26 June 2025. The RSEO required the landlord to:
  - 1) Repair the leak in the common roof to ensure that it is wind and watertight and is in a reasonable state of repair and in proper working order.
  - 2) Repair and then redecorate the living room ceiling to ensure that it is in a reasonable state of repair and in proper working order.

The Tribunal ordered that all of the works must be carried out and completed within the period of eight weeks from the date of service of the RSEO.

2. On 24 November 2025, the Tribunal varied the RSEO in two respects. Firstly, it varied the RSEO to add the following requirements on the landlord at numbers 3 and 4, further to the two existing requirements set out in the RSEO:
  1. Investigate the underlying cause of the mould and peeling paint in the bathroom/shower room and take appropriate action to address these to

- ensure that the ceiling and walls are wind and watertight and are in a reasonable state of repair and in proper working order.
2. Repair and then redecorate the bathroom ceiling to ensure that it is in a reasonable state of repair and in proper working order.
  3. Secondly, the Tribunal varied the RSEO to extend the period for completion of the works for a further eight weeks until 19 January 2026.
  4. On 13 January 2026, an email was received from the landlord requesting a short extension to the compliance deadline. Having considered the landlord's submissions, the Tribunal noted that the landlord had taken steps to address the necessary roof repair, that this was a complex common repair and that the recent weather and time of year have made the situation more challenging. The Tribunal therefore again varied the RSEO to extend the period for the completion of the works for a further eight weeks until 16 March 2026.
  5. On 18 February 2026, the former tenant confirmed to the Tribunal that she had vacated the property.
  6. The Tribunal carried out a re-inspection of the property on 1 April 2026. A copy of the re-inspection report dated 1 April 2026 is attached to this statement of reasons. The Tribunal found that all of the outstanding works required by the RSEO as varied had been completed.
  7. The Tribunal was satisfied that all of the required works had been done. The Tribunal therefore determines on the basis of all the evidence before it that the works required by the RSEO have been completed satisfactorily, and that the appropriate Certificate of Completion in terms of section 60 of the Act should be issued.

## **Rights 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.

# S O'Neil

Signed

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Sarah O'Neill, Chairperson

Date: 13 April 2026