

Housing and Property Chamber
First-tier Tribunal for Scotland



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

STATEMENT OF DECISION: in terms of Section 60 of the Housing (Scotland) Act 2006 (“the Act”) in respect of an application under Section 22(1A) of the Act

FTS/HPC/RP/25/1995

Re: Property at 92 Carnoustie Crescent, East Kilbride, G75 8TE and registered in the Land Register of Scotland under Title Number LAN107314 (“the Property”)

The Parties:

Misadep Properties Limited having their registered office at 15, Beech Grove, Aveley, RM15 4AS (“the Landlord”) per their agents, James & George Collie LLP, 1 East Craibstone Street, Aberdeen, AB11 6YQ (“the Landlord’s Agents”)

Tribunal Members:

Karen Moore (Chairperson) and Carol Jones (Ordinary and Surveyor Member)

Decision of the Tribunal

The Tribunal, having made such enquiries as it saw fit for the purposes of determining whether a certificate of completion in respect of the Repairing Standard Enforcement Order (RSEO) can be granted, determined that, as it is satisfied that the work required by the RSEO has been carried out, a certificate in terms of Section 60 of the Act is granted.

This Decision should be read in conjunction with the Decision and RSEO dated 29 January 2026.

Background

1. By application dated 7 May 2025 (“the Application”), the then tenant of the Property applied to the First-tier Tribunal for Scotland (Housing & Property Chamber) for a determination that the Landlord had failed to comply with the duty imposed on them by Section 14(1)(b) of the Act in respect that the Property does not meet the Repairing Standard in respect of Sections 13(1)(a),13(1) (c), 13 (1) (d) , 13(1) (h) and 13(1) (j) of the Act.

2. The Application was referred to the Tribunal.

Inspection and Hearing

3. An Inspection of the Property and a Hearing were held on 15 January 2026. The outcome of the Inspection and Hearing was that the Tribunal determined that the Landlord had failed to comply with the duty imposed by section 14(1)(b) and so made the following RSEO as required by Section 24 (1) of the Act: *“The Landlord must on or before 4 March 2026 carry out all of the following:-1. Instruct a suitably qualified SELECT, NICEIC or NAPIT registered electrician to carry out a certified electrical inspection of the entire electrical installation of the House and all electrical appliances and equipment supplied by the landlord. Thereafter, provide the Tribunal with a current satisfactory Electrical Installation Condition Report (EICR), including Portable Appliance Testing (PAT), prepared by a suitably qualified SELECT, NICEIC or NAPIT registered electrician.2. Install a new handle to the oven door so that the oven can be used safely and without risk of injury and to ensure that the oven is fully operational and in proper working order.3.Repair or replace the kitchen worktops to ensure that they are free from damage and are safe for use for the preparation of food.4. Carry out all work necessary to ensure that the drying area to the rear of the Property is properly drained, is free of excess surface water and can be used safely and easily for the drying of clothes.5.Carry out works to properly secure the carbon monoxide detector and ensure it is positioned in compliance with Scottish Government Statutory Guidance in relation to carbon monoxide alarms in Private Rented Properties.6 Carry out all incidental and decorative works occasioned by the works necessary to comply with this Order to leave the Property in the condition required by the Repairing Standard.”*

4. Following the issue of the RSEO, the Landlord submitted a satisfactory EICR and photographs showing that the work required by the RSEO appeared to have been completed.
5. A further Inspection and Hearing took place on 1 April 2026. At that Inspection, the Tribunal was satisfied that the work required by the RSEO had been completed.
6. Having found that the works required by the RSEO have been carried out, the Tribunal issued a certificate of completion in terms of Section 60 of the Act.
7. The decision of the Tribunal is unanimous.

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. 3 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.

Karen Moore

Chairperson

15 April 2026