

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Decision to grant a Certificate of Completion of work Under Section 60 of the Housing (Scotland) Act 2006

Chamber Ref: FTS/HPC/RP/17/0099

Property Description: the semidetached property situated at and known as 2 Beaully Place, Coatbridge, ML5 4ND ground, being the subjects registered in the Land Register of Scotland under Title Number: LAN116855 ("The Property")

The Parties:-

Mrs Linda Muir, residing at 46 Rosemount Drive, Uphill, Broxburn, EH52 6DE

Decision

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 terms of the Repairing Standard Enforcement Order ("RSEO") dated 20th July 2017, in relation to the Property concerned determined that the Landlord has now complied with the terms of that RSEO and that it is accordingly appropriate to grant a Certificate of Completion in terms of Section 60(5) of the Housing (Scotland) Act 2006 ("the Act").

The Tribunal consisted of:-

Mr Andrew Cowan – Chairperson

Lori Charles – Ordinary (surveyor) Member

Statement of facts and reasons

1. The Tribunal issued a RSEO in respect of the Property dated 20th July 2017. The RSEO required the Landlord to:-
 - (a) commission a certified Electrical Installation Condition Report (EICR) on the entire electrical installations of the Property and all electrical appliances and equipment supplied by the Landlord, which report should be carried out by a suitably qualified and registered SELECT or NICEIC electrical contractor; and
 - (b) carry out such works as are necessary to rectify any identified issue in the Electrical Installation Condition Report and provide the tribunal with a report from a suitably

qualified and registered SELECT or NICEIC electrical contractor confirming that the works are completed;

- (c) carry out such works as are necessary to ensure that there is an acceptable provision for detecting fires and for giving warning in the event of fire or suspected fire, all as required in terms of the Scottish Government guidance for the satisfactory provision for the detection and warning of fires.
2. The Ordinary (Surveyor) Member of the Tribunal re-inspected the Property on 6 October 2017, in order to ascertain whether the work required by the RSEO had been completed. At that time, the Surveyor Member of the Tribunal reported that all works required by the RSEO had been completed.
 3. A copy of the written report prepared by the Ordinary (Surveyor) Member of the Tribunal, following the re-inspection of the Property on 6 October 2017, was exhibited to parties. Parties have not corresponded further with the Tribunal in relation to that re-inspection report.
 4. In all the circumstances the Tribunal are satisfied that the requirements of the RSEO have been complied with, and that it is appropriate to grant a Certificate of Completion.

Right of Appeal

5. 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. The party must seek permission to appeal within 30 days of the date the decision was sent to them.

A Cowan

Signed .
Andrew Cowan, Chairperson