Housing and Property Chamber First-tier Tribunal for Scotland

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

Certificate of Completion of Work under Section 60 (5) (b) of the Housing (Scotland) Act 2006

Chamber Ref: PRHP/RP/16/0314

Title Number: GLA58302

Flat 3/1, 15 Dixon Avenue, Glasgow, G42 8EB ("The House")

The Parties:-

Miss Lisa Craig, residing at the House ("the Tenant")

Mohammed Qammer Shebaz, 50 Leven Street, Glasgow, G41 2JB ("the Landlord")

The Tribunal members are Martin McAllister, Solicitor, Legal Member and Alex Hewton, Surveyor (Ordinary Member).
Certificate of Completion

The First-tier Tribunal for Scotland (Housing and Property Chamber) hereby certifies that the work required by the Repairing Standard Enforcement Order relative to the Property dated 23rd February 2017 has been completed. Accordingly the said Repairing Standard Enforcement is discharged.

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.

These presents on this and the preceding page signed at Kilwinning on 25th July 2017 by Martin J. McAllister, Solicitor, Legal Member of the Housing and Property Chamber of the First-tier Tribunal for Scotland before Kayleigh Guthrie, 83 Main Street, Kilwinning KA13 6AN.

K Guthrie

(witness)

M McAllister

Housing and Property Chamber First-tier Tribunal for Scotland



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

Determination: Statement relative to Certificate of Completion of work issued under Section 60 of the Housing (Scotland) Act 2006 (the 2006 Act).

Chamber Ref: PRHP/RP/16/0314

Title Number: GLA58302

Flat 3/1, 15 Dixon Avenue, Glasgow, G42 8EB ("The House")

The Parties:-

Miss Lisa Craig, residing at the House ("the Tenant")

Mohammed Qammer Shebaz, 50 Leven Street, Glasgow, G41 2JB ("the Landlord")

The Tribunal members are Martin McAllister, Solicitor, Legal Member and Alex Hewton, Surveyor (Ordinary Member).

Decision:

The tribunal determined that a certificate of completion be issued in terms of Section 60 of the 2006 Act.

Background:

- On 23rd February 2017 the Tribunal made a repairing standard enforcement order (RSEO) in respect of the House.
- 2. The RSEO was in the following terms:

(One) The Landlord is to install a fan in the kitchen window that meets the required regulations.

(Section 13 (1) (a) of the 2006 Act)

(Two) The Landlord is required to repair or replace kitchen units to ensure that their doors operate properly and to install backings to all kitchen units to ensure that there are no draughts.

(Section 13 (1) (a) and 13 (1) d) of the 2006 Act)

(Three) The Landlord is required to repair ceiling in the kitchen and to make good any décor required as a consequence of the repair. (Section 13 (1) (b) of the 2006 Act)

(Four) The Landlord is to produce an electrical installation condition report prepared by a suitably competent person confirming that the electrical system within the Property is in a safe and efficient condition together with any electrical appliances provided by the Landlord. This report should be in conformity with Scottish Government Statutory Guidance. (Section 13 (1) (c) of the 2006 Act)

(Six) The Landlord is to install a heat detector, carbon monoxide detector and smoke detectors to comply with current regulations. (Section 13 (1) (f) and (g) of the 2006 Act)..

- On 7th July 2017 the Tribunal issued a Notice of non compliance and a rent relief order in terms of Section 27 of the Act because the RSEO had not been fully complied with.
- 4. On 21st July the Landlord provided the Tribunal with photographic evidence showing that the kick plates in the kitchen units had been fitted and the kitchen ceiling décor had been completed. The Tribunal determined that it was satisfied with the evidence provided. Copies of the photographs are attached.
- On 21st July the Landlord provided the Tribunal with a copy of an Electrical Installation Condition Report and a Portable Appliance Testing Certificate both dated 19th July 2017. The Tribunal considered these to be in acceptable terms. Copies of the Report and certificate are attached.
- The tribunal considered matters, determined that it was satisfied that the works required by the RSEO had been completed and that it was appropriate to issue the Certificate of Completion in terms of Section 60 of the 2006 Act.

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

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.

M McAllister

Martin J. Michilister, Solicitor, Legal Member of the Housing and Property Chamber of the First-tier Tribunal for Scotland. 25th July 2017 From:

To:

mohammed gammer shehbaz HPCAdmin Ref no: Prhp/rp/16/0314 21 July 2017 11:48:26 Subject: Date:

Hello elena,

Further to conversation this morning, please find attatched photo evidence to support points 2 and 3 of RSEO.

- 2. New kitchen installed complete with kick boards and doors,
- 3. New ceiling and decor

I shall email documentary evidence for point 5 shortly.

Kind regards

Mohammed Qammer Shehbaz Landlord 15 Dixon Ave, glasgow,G42 8eb









Sent from my iPhone

Address: Installation: Same as Client Address ADDRESS AND DETAILS OF THE INSTALLATION DOMESTIC ELECTRICAL INSTALLATION CONDITION REPORT Issued in accordance with British Standard BS 7671 - Requirements for Electrical Installations or additions: Evidence of alterations Estimated age of electrical installation: inspection: Date of previous Certificate Reference: N/A YES estimated age Installation Cert number: 20 years N/A years

PURPOSE OF THE REPORT Landlords safety report

Postcode:

G42 8EB

Postcode:

Records of installation

N/A

Records held by:

available:

Address:

15 DIXON AVENUE FLAT 3/1

GLASGOW

DETAILS OF THE CLIENT

Client Address

report is required: which this

Purpose for

EXTENT OF THE INSTALLATION AND LIMITATIONS OF THE INSPECTION AND TESTING

electrical installation 100% of the installation.

covered by this

Extent of the

of the inspection and operational limitations Agreed and No Lifting of floor boards or inspection of loft space

The inspection has been carried out in accordance with BS 7671:2008, as amended to 2013. Cables concealed within trunking and conduits, under floors, in roof spaces and generally within the fabric of the building or underground, have not been inspected unless specifically agreed between the client and inspector prior to the inspection.

agreed with): reasons and person testing (include

1 (see section 3), having exercised reasonable skill and care when carrying out the inspection and testing, hereby declare that the information in this report, including the observations (see section 8) and the attached schedules (see section 16), provides an accurate assessment of the condition of the electrical installation taking into account the stated extent of the I/We, being the person(s) responsible for the inspection and testing of the electrical installation (as indicated by my/our signatures below), particulars of which are described on page

For the INSPECTION, TESTING AND ASSESSMENT of the report: installation and the limitations on the inspection and testing (see section 4)

Position:

Electrician

Signature:

Name: ZULFQAR KHAN L CONTRACTOR

Trading Title: ZAK SYSTEMS LTD

108 COPLAND ROAD

Address:

DETAILS OF THE ELECTRICA

GLASGOW

Postcode:

G51 2RW

See page 3 for a summary of the general condition of the installation in terms SUMMARY OF THE CONDITION OF THE INSTALLATION

Date:

19/07/2017

of electrical safety.

continued use*: Overall assessment of the installation in terms of it's suitability for

SATISFACTORY

* An unsatisfactory assessment indicates that dangerous (Code C1) and/or potentially dangerous (Code C2) conditions have been identified.

This form is based on the model shown in Appendix 6 of BS 7671;2008 amended 2013. Registration Number: NAPIT 27595 Telephone Number: 07933315111

Page: 1 of 7

for remedial action: C1 Danger Present - Risk of injury. Immediat	One of the following codes, as a						5	_	7	Referring to the attached Schedule(s) of Inspections installation and Limitations of Inspection and Testing: N/A There are no items adversely affecting electrical safet
Immediate remedial action N/A required for items: Urgent remedial action N/A	One of the following codes, as appropriate, has been allocated to each of the observations made above to indicate for remedial action: C1						SOCKETS IN KITCHEN HAS BEEN DISCONNECTED AS THERE WAS NO CPC	NO CPC PRESENT AT SOME LIGHTS AND SWITCHES	Observations	and Test Results, and subje
Improvement 2, 3 recommended for items: 2, 3 Further investigation N/A required for items:	rions made above to indicate to the person(s) responsible for the link dander to the person (s) responsible for the link dander to the person (s) responsible for the link dander to the person (s) responsible for the link dander to the person (s) responsible for the link dander to the person (s) responsible for the link dander to the person (s) responsible for the link dander to the person (s) responsible for the link dander to the person (s) responsible for the link dander to the person (s) responsible for the link dander to the person (s) responsible for the link dander to t						ď	- 22		and subject to the limitations specified on page 1 of this report under 'Extent of the The following observations and recommendations are made
	Improvement recommended						G	C	Classification Code	report under 'Extent o made
	mmended								on Investigation Required	

RECOMMENDATIONS

Where the overall assessment of the suitability of the installation for continued use on page 1 is stated as 'UNSATISFACTORY', I/We recommend that any observations classified as 'Code 1 - Danger Present' or 'Code 2 - Potentially dangerous' are acted upon as a matter of urgency.

Observations classified as 'Code 3 - Improvement recommended' should be given due consideration. Investigation without delay is recommended for observations identified as 'Further Investigation Required'

General condition of the installation in terms of electrical safety:

SATISFACTORY

NEXT INSPECTION

I/We recommend that this installation is further inspected and tested after an interval of not more than:

(Enter interval in terms of years, months or weeks, as appropriate)

provided that any items in section 8 which have been attributed a Classification code C1 (danger present) are remedied immediately and that any items which have been attributed a code C2 (potentially dangerous) or require further investigation are remedied or investigated respectively as a matter of urgency. Items which have been attributed a Classification code C3 should be improved as soon as practicable (see section 8). 5 Years

3 of 7	Ref: 2715 Page: 3 of 7											
		NA		(s):	incoming service(s):	Other incomir	N/A	Structural Steel: N/A	N/A ms	RCD operating N		
	Lightning protection: N/A	Lightr	»: N/A	Oil service: N/A	<	Gas service:	Teous-cot	Bonding of extraneous-conductive Water service: ✓ Gas ser	N/A ms	RCD rated Nime delay:	25 mm ²	Supply conductors csa:
_	verified:	mm ²	or 10	Conductor csa:		Copper		Conductor material:	N/A mA	RCD operating N	Copper	Supply conductors material:
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	60 Amps	1	Maximum Demand (Load):	m Demai	Maximu		N/A	nt:	Method of measurement:	N/A D	N/A resistance, RA:	tion lectrode:
	A.S.			shock:	electric shock:		N/A		Location:	N/A L	Type:	Distributor's
	ADO	inst	Protective measure(s) against	ve measu	Protectiv		- 11	(where applicable)	Electrode (Details of Installation Earth Electrode (where applicable)	PARTICULARS OF INSTALLABLION AT THE OWNER PARTICULARS OF INSTALLABLION AT THE OWNER PARTICULAR PART	Means of Earthing
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	Short-circuit 22		Туре:		0.25 Ω	Ze:	op impe	230 V	Uo:	3-phase N/A (4 wire): N/A		TN-C-S N/A
	3		סט(בוע).			Notifical nequency,	Nottilial it equence	A 047	voltage(s):	<	N/A	TN-S 🗸
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									1445	A. A		

Comment
Not verified N/V Limitation LIM

ALL Y	AND TO ACT OF THE PROPERTY OF			Further
Item No	Description	Comment	Outcome	Investigation Required
1.0 CO	4.0 CONSUMER UNIT(S) / DISTRIBUTION BOARD(S) (CONTINUED)			
4.18	umer unit / distribution board /	N/A	Pass	N/A
4.19	fault protection - includes RCBOs (411.4.9; 411.5.2; 531.2)	N/A	Pass	N/A
4.20	provided for additional protection - includes RCBOs (411.3.3; 415.1)	N/A	Pass	N/A
5.0 FIN				N/A
5.1	of conductors (514.3.1)	N/A	Pass	N/A
5.2	throughout their run (522.8.5)	N/A	Pass	N/A
υ		N/A	Pass	N/A
5.4	enclosure in conduit, ducting or trunking (521.10.1) (to include g systems in metallic and plastic)	N/A	Pass	N/A
5.5	type and nature of installation	N/A	Pass	N/A
5.6	between conductors and overload protective devices (433.1; 533.2.1)	N/A	Pass	N/A
5.7		N/A	Pass	N/A
5.8		N/A	Pass	N/A
5.9	d external influences	N/A	Pass	N/A
5.10	bles installed in prescribed zones (see Extent and Limitations) (522.6.101)	N/A	Pass	N/A
5.11	system, or tent and	N/A	Pass	N/A
5.12 -	Provision of additional protection by RCD not exceeding 30mA:			
5.12.1	y persons unless an exception	N/A	Pass	N/A
5.12.2	quipment not exceeding 32A rating for use outdoors (411.3.3)	N/A	N/A	N/A
5.12.3		N/A	Pass	N/A
5.13	nents and protection against thermal effects (Section 527)	N/A	Pass	N/A
5.14	egregated/separated from Band I cables (528.1)	N/A	Pass	N/A
5.15	2)	N/A	Pass	N/A
5.16		N/A	Pass	N/A
5.17 -	Termination of cables at enclosures - indicate extent of sampling in Extent and Limitations of th	the report (Section 526)		
5.17.1	Connections soundly made and under no undue strain (526.6)	N/A	Pass	N/A
5.17.2	No basic insulation of a conductor visible outside enclosure (526.98)	N/A	Pass	N/A
5 17 3	Connections of live conductors adequately enclosed (526.5)	N/A	Pass	N/A
5.17.4	Adequately connected at point of entry to enclosure (glands, bushes etc.) (522.8.5)	N/A	Pass	N/A
5.18	Condition of accessories including socket-outlets, switches and joint boxes (621.2 (iii))	N/A	Pass	N/A
		N/A	Pass	N/A

THE	INSPECTION SCHEDULE FOR DOMESTIC AND SIMILAR PREMISES WITH OF IT	Contract Contract		Further
Item No	Description	Comment	Outcome	Investigation Required
6.0 - ISC	ISOLATION AND SWITCHING (ISOLATION, SWITCHING OFF FOR MECHANICAL MAINTENANCE,	, EMERGENCY STOPPING AND FUNCTIONAL	AL SWITCHING)	
6.1 - In General	Seneral	-	Dacc	N/N
6.1.1 F	Presence and condition of appropriate devices (537.2.2)	N/A	Dass	N/A
6.1.2	Correct operation verified (612.13.2)	N/A	Pass	N/A
6.2 - For	6.2 - For isolation and switching for mechanical maintenance only	N/A	Pass	N/A
2.2	Acceptable location - state if local or remote from equipment being controlled where appropriate (537.2.1.5)	N/A	Pass	N/A
6.2.3	Clearly identified by position and/or durable marking(s) (537.2.2.6)	N/A	Pass	N/A
6.3 For is	isolation only Warning label(s) posted in situations where live parts cannot be isolated by the operation of a single device (514.11.1: 537.2.1.3)	N/A	Pass	N/A
6.4 For e	emergency switching/stopping only		7	21/2
6.4.1	Readily accessible for operation where danger might occur (537.4.2.5)	N/A	PdSS	N/A
7.0 CUR	7.0 CURRENT-USING EQUIPMENT (PERMANENTLY CONNECTED)	N/A	Pass	N/A
7.1	Condition of equipment in terms of it rating (+10.2)	N/A	Pass	N/A
	Equipment does not constitute a rire nazard (Section 421)	N/A	Pass	N/A
	Enclosure not damaged/deteriorated so as without safety (vertical)	N/A	Pass	N/A
7.4	Suitability for the environment and external influences (2*****)	N/A	Pass	N/A
6	Cable entry holes in ceiling above luminaires, sized or sealed so as to restrict the spread of fire List number and location of luminaires inspected. (Separate page)	N/A	Pass	N/A
7.7 Rece	7.7 Recessed luminaires (downlighters)		Pacc	N/A
7.7.1	Correct type of lamps fitted Installed to minimise build-up of heat by use of fire rated fittings, insulation displacement box or	N/A	Pass	N/A
772	No single of exercises to surrounding building fabric (559.5.1)	N/A	Pass	N/A
7.7.4	No signs of overheating to conductors / terminations (526.1)	N/A	Pass	N/A
8.0 LOC	8.0 LOCATION(S) CONTAINING A BATH OR SHOWER 8.1 Additional protection for all low voltage (LV) circuits by RCD not exceeding 30mA (701.411.3.3)	N/A	Pass	N/A
	Where used as a protective measure, requirements for SELV or PELV met (701.414.4.5)	N/A	N/A	N/A
	Shaver sockets comply with BS EN 61558-2-5 formerly BS 3535 (701.512.3)	N/A	N/A	N/A
	Presence of supplementary bonding conductors, unless not required by BS 7671:2008 (701.415.2)	N/A	Pass	
	Low voltage (e.g. 230 volt) socket -outlets sited at least 3m from Zone 1 (701.512.3)	N/A	Pass	
	Suitability of equipment for external influences from installed location in terms of IP rating	N/A	Pass	
	Suitability of equipment for installation in a particular zone (701.512.3)		Pass	
	Suitability of current-using equipment for particular position within the location (701.55)	N/A	Pass	
	TO DATE 2 CRECTAL TWENTY I ATTONS OR LOCATIONS	N/A		
9.0 OTH	ther special installation or locations present, if any. (Record separately the results of particular insp	N/A N/A tions applied.)		
9.0 OTH List all o	List all other special installation or locations present, if any. (Record separately the results of particular inspections applied.) 9.1 N/A	N/A N/A tions applied.)	N/A	

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Earth electrode resistance:	TEST INSTRUMENTS							SPICAL ALANYIS	LIGHTS KITCHEN	SOCKETS	SHOWER	RCD	SPARE	COOKER	BOILER	SPARE	ЦСНТЅ	RCD		Circuit designation		Designation of consumer unit:
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DOMESTIC ELECTRICAL INSTALLATION CONDITION REPORT GUIDANCE FOR RECIPIENTS

(to be appended to the Report)

This Report is an important and valuable document which should be retained for future reference.

The purpose of this Condition Report is to confirm, so far as reasonably practicable, whether or not the electrical installation is in satisfactory condition for continued service (see Section 7). The Report should identify any damage, deterioration, defects and/or conditions which may give rise to danger.

The person ordering the Report should have received the "original" Report and the inspector should have retained a duplicate.

The "original" Report should be retained in a safe place and be made available to any person inspecting or undertaking work on the electrical installation in the future. If the property is vacated, this Report will provide the new owner/occupier with details of the condition of the electrical installation at the time the Report was issued.

Where the installation incorporates a residual current device (RCD) there should be a notice at or near the device stating that it should be tested quarterly. For safety reasons it is important that this instruction is followed.

Section 4 (Extent and Limitations) should identify fully the extent of the installation covered by this Report and any limitations on the inspection and testing. The inspector should have agreed these aspects with the person ordering the Report and with other interested parties (licensing authority, insurance company, mortgage provider and the like) before the inspection was carried out.

Some operational limitations such as inability to gain access to parts of the installation or an item of equipment may have been encountered during the inspection. The inspector should have noted these in section 4 - Extent and Limitations on page 1.

For items classified in the observations as C1 ("Danger present"), the safety of those using the installation is at risk, and it is recommended that a skilled person competent in electrical installation work undertakes the necessary remedial work immediately.

For items classified in the observations as C2 ("Potentially dangerous"), the safety of those using the installation may be at risk and it is recommended that a skilled person competent in electrical installation work undertakes the necessary remedial work as a matter of urgency.

Where it has been stated that an observation requires further investigation (code FI) the inspection has revealed an apparent deficiency which may result in a code of C1 or C2, and could not, due to the extent or limitations of the inspection, be fully identified. Such observations should be investigated without delay. A further examination of the installation will be necessary, to determine the nature and extent of the apparent deficiency (see Section 8 - Recommendations).

For safety reasons, the electrical installation should be re-inspected at appropriate intervals by a skilled person or persons, competent in such work. The recommended date by which the next inspection is due is stated on page 3 under section 10 'Next Inspection', and on a label at or near to the consumer unit / distribution board.

PORTABLE APPLIANCE TESTING CERTIFICATE

Certificate Reference:

1367

Test Equipment Used: Fluke 6500 Serial Number: Key: P=Pass F=		Post	t Code: G42	8EB
Address: 114 COPLAND ROAD GLASGOW Post Code: G51 2RW For the inspection and testing of the electrical equipment: Name: Ihtisham Ali Position: Electrician Signature: Test Equipment Used: Fluke 6500 Serial Number: Key: P=Pass F= Appliance ID Test Date Description Location N Site: 15 DIXON AVENUE FLAT 3/1 (2 Appliances) 00001 19/07/2017 WASHING MACHINE KITCHEN 095		Pos	t Code:	
GLASGOW Post Code: G51 2RW For the inspection and testing of the electrical equipment: Name: Ihtisham Ali Position: Electrician Signature: Test Equipment Used: Fluke 6500 Serial Number: Key: P=Pass F= Appliance ID Test Date Description Location N Site: 15 DIXON AVENUE FLAT 3/1 (2 Appliances) 00001 19/07/2017 WASHING MACHINE KITCHEN 095				
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00001 19/07/2017 WASHING MACHINE KITCHEN 095	Serial Number	Retest Period		Status
00001 13/07/2017 WASHING TRICE TO THE COLUMN	F0F	12	10/07/2019	B Pass
00002 19/07/2017 FRIDGE FREEZER KITCHEN 09:		12 12	19/07/2018	
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		mill.		
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