

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Certificate of completion of work: Housing (Scotland) Act 2006 Section 60

Chamber Ref: PRHP/RP/15/0260

Property at: 5B Keir Avenue, Raploch, Stirling, FK8 1QL

Title No: STG25149

The Parties

Miss Debbie Goodbrand, residing at 5B Keir Avenue, Raploch, Stirling, FK8 1QL
("the tenant")

and

Mr Athar Almass Firdous, residing at 32 Alpin Drive, Dunblane, FK15 0FQ ("the landlord")

The First-tier tribunal for Scotland (Housing and Property Chamber) ('the tribunal') hereby certifies that the work required by the **Repairing Standard Enforcement Order** relative to the Property dated 21 December 2015 and served on 24 December 2015 has been completed. Accordingly, the said Repairing Standard Enforcement Order relative to the property has been 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.

In witness whereof these presents are executed by Paul Doyle, solicitor, chairperson of the tribunal at Edinburgh on 29 November 2017 before Emma Doyle, 24 Haddington Place, Edinburgh.

E Doyle

P Doyle

witness__

chairperson

Housing and Property Chamber First-tier Tribunal for Scotland



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

STATEMENT OF DECISION: Housing (Scotland) Act 2006 Section 24 (1)

Chamber Ref: PRHP/RP/15/0260

Property at: 5B Keir Avenue, Raploch, Stirling, FK8 1QL

Title No: STG25149

The Parties

Miss Debbie Goodbrand, residing at 5B Keir Avenue, Raploch, Stirling, FK8 1QL
("the tenant")

and

Mr Athar Almass Firdous, residing at 32 Alpin Drive, Dunblane, FK15 0FQ
("the landlord")

Tribunal Members

| | |
|---------------|-----------------|
| Paul Doyle | Chairperson |
| Andrew Taylor | Ordinary Member |

Decision

1 On 24 December 2015, the Private Rented Housing Committee (now **First-tier Tribunal for Scotland (Housing and Property Chamber)**) issued a decision requiring the landlord to comply with the Repairing Standard Enforcement Order made by the Committee on 21 December 2016 ("The RSEO")

2. The RSEO required the Landlord to carry out the following works

- (i) Replace the damaged double glazing unit to living room window.
- (ii) Carry out such works as are necessary to eliminate water ingress at living room window at cill level, include all making good.
- (iii) Securely refix kitchen central heating radiator to wall.

(iv) Repair or replace the back door so that it is secure, wind and watertight, capable of being locked and in proper working order.

(v) Carry out such works as are necessary to eliminate water ingress adjacent to back door frame, include all making good.

(vi) Repair the holes in ceilings in the kitchen and the front facing bedroom and make good.

(vii) Repair or replace the damaged laminate flooring in hall to eliminate trip hazard.

(viii) Repair or replace insecure bath including making good seals at wall.

(ix) Repair WC cistern mechanism to eliminate running overflow.

(x) Carry out a certificated electrical condition check (EICR) on the entire electrical installation of the property, by a suitably qualified and registered SELECT or NICEIC electrical contractor.

(xi) Carry out all works as recommended by that check to ensure that the electrical installation is safe, functional and in proper working order. These works to include the repair or replacement of the instantaneous shower unit.

(xi) Provide a Domestic Electrical Installation Certificate for the works carried out.

Include all ancillary works, making good and decoration. (The Scottish Government has a searchable database containing details for all registered electricians in Scotland.)

(xii) Engage a suitably qualified, and Gas Safe registered, heating engineer to service the gas central heating boiler and investigate the fault causing the boiler to malfunction. Ensure that the boiler and remainder of the heating installation is safe, functional and in proper working order.

(xiii) Carry out a gas safety check and provide a gas safety certificate.

(xiv) Provide and install smoke detection and alarm equipment in accordance with the British Standard on the design of fire detection installations for dwellings (BS5839 Part 6) in conjunction with the Scottish Government's Technical Handbook 2013 Domestic under Section 2 -Fire, Sub-section 2.11 Communication.

(xv) Provide a carbon monoxide detector in accordance with the

Scottish Government Statutory Guidance for the provision of carbon monoxide alarms in private rented housing.

All within two months of the date of service of service of the RSEO.

3. On 6 May 2016 the ordinary member of this tribunal attempted to re-inspect the property to see if the works required by the Repairing Standard Enforcement Order ("RSEO") had been carried out, He was not able to gain access to the property. On 27 September and 19 December both 2016, both members of this tribunal attempted to re-inspect the property to see if the works required by the RSEO had been carried out. On neither attempt were they able to gain access to the property.

4. On 27 September and 19 December both 2016, hearings were convened to discuss whether the works required by the RSEO have been carried out. Both the tenant and the landlord were timeously notified of the date, time and place of the hearings. Neither the tenant nor the landlord attended either hearing, nor were they represented at either hearing.

5. On 21 June 2017 Tribunal members successfully re-inspected the property and found that all of the works required by the RSEO had been satisfactorily completed by the landlord. A hearing was convened on 21 June 2017 at 11.30am within Wallace House, Maxwell Street, Stirling. Neither the tenant nor the landlord attended that hearing, nor were they represented at that hearing.

6. By emails dated 14 July 2017 & 12 November 2017 the Landlord provided satisfactory EICR and Gas Safety Certificates.

7. In the circumstances, the Tribunal is satisfied that all works required by the Repairing Standard Enforcement Order had been carried out satisfactorily. Accordingly, the Tribunal decided to grant a certificate of completion.

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.

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P Doyle

Signed
Legal Member

29 November 2017