

Housing and Property Chamber

First-tier Tribunal for Scotland



Certificate of Completion: under Sections 60 and 25 of Housing (Scotland) Act 2006 ("the Act").

Chamber Ref: RP/15/0346

Title no: LAN99404

22 Kemp Court, Hamilton, Lanarkshire ML3 6QF, ("the property")

The Parties:-

**Ms Samantha Bolton and Bruce Pringle, residing formerly at the property
("applicants and former tenants")**

and

**Kenneth Arthur, residing sometime at flat 6, 201 Quarry Street, Hamilton and per Igloo Estate Agents, 2 Gateside Street, Hamilton ML3 7JG, and also of Apartment 4, 7 Riverside view, Cleyton le Moors, Accrington BB5 5YN, per Igloo Estates Limited, 2 Gateside Street, Hamilton ML3 7JG.
("the landlord")**

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

**David M Preston, Legal Member; and Andre Taylor, Ordinary Member
(surveyor)
("the tribunal")**

Decision

The tribunal hereby certifies that the work required by the Repairing Standard Enforcement Order (RSEO) dated 25 February 2016 has been completed. Accordingly, the RSEO is revoked.

Review of tribunal's decision:

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 leave to appeal from the First-tier tribunal. That party must seek permission to appeal within thirty days of the date when 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 typewritten on this and the preceding page are subscribed as follows:

D Preston

Chairman

S Steward

Witness
signature

SARAH STEWARD

Witness
Full Name

OBAN

Place of Signing

22 ARGYLE SQUARE

Witness

OBAN, PA34 4AT

Address

25 April 2017

Date of Signing

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Housing and Property Chamber

First-tier Tribunal for Scotland



Statement of Reasons for Certificate of Completion under section 60 of Housing (Scotland) Act 2006 ("the Act"): issued under Section 25 and paragraph 6 of Schedule 2 of the Act.

Chamber Ref: RP/15/0346

Title no: LAN99404

22 Kemp Court, Hamilton, Lanarkshire ML3 6QF, ("the property")

The Parties:-

**Ms Samantha Bolton and Bruce Pringle, residing formerly at the property
("applicants and former tenants")**

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("the landlord")**

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

**David M Preston, Legal Member; and Andre Taylor, Ordinary Member
(surveyor)
("the tribunal")**

Decision

The tribunal determined to issue a Certificate of Completion under section 60 of the Act and to revoke the Repairing Standard Enforcement Order dated 25 February 2016 ("the RSEO") under section 25 of the Act.

Reasons

1. On 18 April 2017 the ordinary member who is a qualified surveyor carried out a re-inspection of the property for the purpose of establishing if the work required under the RSEO had been satisfactorily completed.

2. Following on the re-inspection the ordinary member prepared a report dated 19 April 2017 which is attached hereto as a Schedule. The report noted that the work required had been completed and that there was no outstanding requirement.
3. Accordingly the tribunal determined that the landlord had complied with the RSEO and determined to revoke same in terms of Minute of Completion of this date.

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 leave to appeal from the First-tier tribunal. That party must seek permission to appeal within thirty days of the date when 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.

D Preston

... Chairman

25 April 2017



Oban, 25 April 2017

Re-Inspection Report

This is the Schedule referred to in
the foregoing Statement of Reasons

D Preston Chairman



Property – 22 Kemp Court, Hamilton, Lanarkshire, ML3 6QF

Reference- PRHP/RP/15/0346

Surve

Previc

2.00p

D Preston ... Chairman

Re-inspection (2) – 2.00pm, 18th April 2017

Weather – Dry, light cloud

In Attendance – Ms Suzanne Mitchell, Lettings Manager, Igloo Estate and Letting Agents

Purpose of Re-inspection - To establish if the work required under the Repairs Standard Enforcement Order had been completed.

RSEO – In terms of the RSEO issued on 25th February 2016, the Landlord was required to carry out such work as was necessary to ensure that the house meets the repairing standard and in particular the following specific areas: -

- i. Liaise with the property factors responsible for management of the development of which the property forms part to ensure that such repairs are carried out as are necessary to the secure door entry system to ensure that two-way communication is available between the flat handset and building entry panel and that the entire secure entry system is in proper working order.
- ii. Replace the silicone seal at the junction of kitchen worktops and ceramic tiled wall.

Works In RSEO Previously Carried Out

- i. The silicone seal at the junction of kitchen worktops and ceramic tiled wall has been satisfactorily completed.

Works in RSEO Subsequently Carried Out

- i. The secure door entry system has been repaired, a new handset has been provided within the flat and there is effective two-way communication between the flat handset and building entry panel. The door opening function operates correctly.

Works In RSEO Outstanding

Nil

Photographs



New door entry handset April 2017



Property door entry panel April 2017

Andrew Taylor MRICS

Surveyor Member, Housing and Property Chamber, First-tier Tribunal For Scotland

19th April 2017