

Housing and Property Chamber

First-tier Tribunal for Scotland



Certificate of Completion of the First-tier Tribunal for Scotland (Housing and Property Chamber) under section 60(5) of the Housing (Scotland) Act 2006

Chamber Ref PRHP/RP/16/0236

Ellenbank Lodge, Garngour Road, Lesmahagow, ML 11 0EU being the subjects registered in the Land Register of Scotland under Title Number LAN218326 ('the Property')

Lee Spencer and Sarah Dorothy Spencer both residing at 4 Kings Crescent, Camberley, GU15 4NA represented by Countrylet Limited of 33 Abbeygreen, Lesmahagow, ML11 0EQ ('the Landlords')

Miss Claire Goodwin residing at Ellenbank Lodge, Garngour Road, Lesmahagow ('the Tenant')

The Tribunal members are Jacqui Taylor (Chairperson) and Kingsley Bruce (Surveyor Member).

CERTIFICATE OF COMPLETION

1. The Tribunal hereby certifies that the works required by the **Repairing Standard Enforcement Order** dated 12th September 2016 ('RSEO') which required the Landlord to:

'1. Exhibit to the PRHP Administration a certificate of new installation confirming that the boiler is safe and has been installed in compliance with the regulations.

2. Install carbon monoxide alarms in compliance with the regulations.

3. Repair or replace the garage door to render it in proper working order.

4. Attach the garden gate to the gate post to render it in proper working order.

5. Repair or replace the dishwasher to render it in proper working order.

6. Affix the missing tiles to the side of the bath panel and disconnect and remove the transformer unit and loose wires below the pelmet/ bath panel.'

Have been Completed.

Appeals

A landlord, tenant or third party applicant 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 typewritten on this and the preceding page are executed by Jacqui Taylor, Solicitor, Chairperson of the Tribunal at Glasgow on 15th January 2018 before the undernoted witness:

Signed..... **J Taylor**

Chairperson

J Kane

.....witness:

J Kane

1, Atlantic Quay
Glasgow

Housing and Property Chamber

First-tier Tribunal for Scotland



**Statement of Decision of the First-tier Tribunal for Scotland
(Housing and Property Chamber)
under section 60(5) of the Housing (Scotland) Act 2006**

Chamber Ref PRHP/RP/16/0236

Ellenbank Lodge, Garngour Road, Lesmahagow, ML 11 0EU being the subjects registered in the Land Register of Scotland under Title Number LAN218326 ('the Property')

Lee Spencer and Sarah Dorothy Spencer both residing at 4 Kings Crescent, Camberley, GU15 4NA represented by Countrylet Limited of 33 Abbeygreen, Lesmahagow, ML11 0EQ ('the Landlords')

Miss Claire Goodwin residing at Ellenbank Lodge, Garngour Road, Lesmahagow ('the Tenant')

The Tribunal members are Jacqui Taylor (Chairperson) and Kingsley Bruce (Surveyor Member).

1. The Private Rented Housing Committee ('the Committee') issued a Repairing Standard Enforcement Order dated 12th September 2016 ('RSEO') in respect of the Property which required the Landlords to:-

'1. Exhibit to the PRHP Administration a certificate of new installation confirming that the boiler is safe and has been installed in compliance with the regulations.

2. Install carbon monoxide alarms in compliance with the regulations.

3. Repair or replace the garage door to render it in proper working order.

4. Attach the garden gate to the gate post to render it in proper working order.

5. Repair or replace the dishwasher to render it in proper working order.

6. Affix the missing tiles to the side of the bath panel and disconnect and remove the transformer unit and loose wires below the pelmet/ bath panel.'

2. The Committee ordered that the works specified in the RSEO were to be carried out and completed by 28th October 2016.

3. On 1st December 2016 jurisdiction of the Private Rented Housing Panel passed to the Housing and Property Chamber.

4. On 4th April 2017 the Tribunal issues a decision which confirmed that items 1,2,3,4 and 5 of the PFE0 have been satisfactorily completed. However item 6 had not been completed and remained outstanding.

5. On 14th June 2017 the Landlord provided the Tribunal with photographs showing that the missing tiles to the side of the bath panel had been satisfactorily repaired. On 3rd November 2017 the Landlords agents provided the Tribunal with a letter from Davidson Lindsay confirming that the unsafe wiring from the bath area had been removed and made safe. The said photographs and letter are annexed and executed as relative hereto. Copies of the said photographs and letter from Davidson Lindsay were sent to the Tenant who were invited to make representations but none were received.

Decision

6. The Tribunal determined that the said photographs and letter from Davidson Lindsay were sufficient evidence that item 6 of the RSEO had been complied with. The Tribunal being satisfied that the terms of the RSEO had been satisfactorily completed determined to certify that the terms of the RSEO had been completed.

7. The decision of the Tribunal was a unanimous decision.

8. Appeals

A landlord, tenant or third party applicant 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.

J Taylor

Signed..... Date 15th January 2018
Chairperson

Photograph re Ellenbank Lodge
referred to in HPC Statement 15/1/18

J Taylor



Photograph re Ellenbank Lodge
referred to in HPC statement 15/11/15

J Taylor





Davidson Lindsay
electrical services limited

letter from Davidson Lindsay
referred to in HPC
statement 15/1/18

J Taylor

FAO Countrylet

33 Abbeygreen

Lesmahagow

ML11 0EQ

Re: Ellenbank Lodge, Lesmahagow

I can confirm that our electrician Jamie Lindsay attended Ellenbank Lodge, Lesmahagow on 20th February 2017. Whilst at the property the electrician removed the unsafe wiring from the bath area and made safe.

Should you require any further information please do not hesitate to contact me.

Many thanks,

Chloe Allen

Davidson Lindsay Electrical Services Ltd
8 Kirkton Avenue, Carlisle, ML8 5AB
Phone: 01555 751544
Email: info@dles.co.uk