

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: FTS/HPC/RP/17/0235

Title no: GLA168231

**31 Cessnock Road Millerston, Glasgow G33 6NH
("the Property")**

The Parties:-

**Miss Jane Haig, residing at 31 Cessnock Road Millerston, Glasgow
G33 6NH
("the Tenant")**

**Mr Thomas Muirhead, executor of the late Raymond Muirhead, residing
at 26 Rossie Crescent, Bishopbriggs, Glasgow G64 4P
("the Landlord")**

The Tribunal

**Richard Mill (Legal Member)
Greig Adams (Ordinary Member)**

Decision

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 made on 6 November 2017 has been completed satisfactorily. Accordingly, the said Repairing Standard Enforcement Order relative to the Property is herewith discharged. Reference is made to the corresponding statement of decision providing the Tribunal's reasons.

Right of Appeal

1. 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.

2. 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 Tribunal 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 type written on this and the preceding page(s) are executed by Richard George Mill, solicitor, 69-71 Dalry Road, Edinburgh EH11 2AA, legal member of the tribunal at Edinburgh on 23 March 2018 before this witness:-

R Mill

Legal Member

M Murray

Witness

MARGARET JOHNSTONE MURRAY

Name

69-71 DALRY ROAD

Address

EDINBURGH

EH11 2AA

Housing and Property Chamber

First-tier Tribunal for Scotland



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

STATEMENT OF DECISION OF THE HOUSING AND PROPERTY CHAMBER OF THE FIRST-TIER TRIBUNAL FOR SCOTLAND UNDER SECTION 60(5) OF THE HOUSING (SCOTLAND) ACT 2006

Chamber Ref: FTS/HPC/RP/17/0235

Title no: GLA168231

**31 Cessnock Road Millerston, Glasgow G33 6NH
("the Property")**

The Parties:-

**Miss Jane Haig, residing at 31 Cessnock Road Millerston, Glasgow
G33 6NH
("the Tenant")**

**Mr Thomas Muirhead, executor of the late Raymond Muirhead, residing
at 26 Rossie Crescent, Bishopbriggs, Glasgow G64 AP
("the Landlord")**

The Tribunal

**Richard Mill (Legal Member)
Greig Adams (Ordinary Member)**

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined that the Landlord has complied with the Repairing Standard Enforcement Order in respect of the Property made on 6 November 2017 and that a Certificate of Completion should be issued in terms of Section 60(5) of the Housing (Scotland) Act 2006.

Background

1. Following an inspection of the Property on 3 November 2017, the Tribunal issued a Repairing Standard Enforcement Order dated 6 November 2017 in respect of the Property in the following terms:-

- "1. To install provision for the detection of fire or suspected fire in accordance with Scottish Government Regulations, and in particular to install -
 - 1.1 One functioning smoke alarm in the room which is frequently used by the occupants for general daytime living purposes.
 - 1.2 One functioning smoke alarm in every circulation space, such as hallways and landings.
 - 1.3 One heat alarm in every kitchen.
 - 1.4 All alarms should be hardwired and interlinked and
2. To install a carbon monoxide detector in accordance with Scottish Government Regulations.
3. To obtain and produce an up-to-date Gas Safety Certificate.
4. To instruct a suitably qualified tradesman to repair or replace the rubber seals of the double glazed window units so as to ensure that they are wind watertight and to overhaul the ironmongery to ensure that all handles can be operated efficiently to open, close and lock the windows.
5. To instruct a suitably tradesman to investigate the plumbing and external drainage system, to report and to instruct recommended work to ensure that all waste water from the Property drains into the mains system effectively.
6. To instruct a specialist report into the condensation and damp found within the kitchen, bedroom and boiler cupboard in the Property, and to instruct the recommendations contained therein in respect of the installation of both suitable ventilation and damp proof works.

The Tribunal orders that the works specified in this Order must be carried out and completed within the period of 6 weeks from the date of service of this Notice and evidenced to the Tribunal."

2. Subsequent correspondence was received on behalf of the Landlord submitting that the relevant work required in terms of the Repairing Standard Enforcement Order had been completed. The relevant vouching was produced. Thereafter confirmation from the Tenant was received that the works had been undertaken.
3. A re-inspection of the Property was undertaken by the Ordinary Member on 5 February 2018. The re-inspection report arising therefrom was subsequently intimated to parties. The re-inspection report found that the Tribunal was satisfied that all material relevant

works required had been undertaken. There was some residual moisture content found within the boiler cupboard but this would not affect the enjoyment of a tenant.

4. The Landlord provided no further comments regarding the re-inspection report from 5 February 2018. The Tenant has left the property and her agent has advised that she has no further interest.
5. The Tribunal accordingly determined that the Landlord had complied with the Repairing Standard Enforcement Order made on 6 November 2017 and that a Certificate of Completion should in these circumstances be issued. The Rent Relief Order previously made is also revoked.

Right of Appeal

6. 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.
7. 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.

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R Mill

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M Murray

____ Witness

MARGARET JOHNSTONE MURRAY Name

69-71 DALRY ROAD Address

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