

Housing and Property Chamber First-tier Tribunal for Scotland



First-tier Tribunal for Scotland (Housing and Property Chamber) under Sections 14 & 22(1A) of the Housing (Scotland) Act 2006

CERTIFICATE OF COMPLETION

Under Section 60 of the Housing (Scotland) Act 2006

Chamber Ref: Reference number: FTS/HPC/RT/20/1752

Property: 2/1, 65 Causeyside Street, Paisley, PA1 1YT, registered in the Land Register of Scotland for the County of Renfrew under title number REN37047("The property")

Parties:

Luke Humberstone, residing at 2/1, 65 Causeyside Street, Paisley, PA1 1YT ("the Applicant")

Mr Amarjit Kaur Kambo, residing at 142 Maxwell Drive, Glasgow, G41 5AF, and c/o 1st Lets (Glasgow) Limited, 2 Calder St, Glasgow G42 7RT. ("the Respondent")

Tribunal Members

Paul Doyle Legal Member

Lorraine Charles Surveyor Member

Unanimous Decision of the Tribunal

The First-tier tribunal for Scotland (Housing and Property Chamber)(‘the tribunal’) certifies that the work required by the Repairing Standard Enforcement Order relative to the Property made on 21 July 2021 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 consisting of this and the preceding page are signed by me, Paul Doyle, at Edinburgh on 20 October 2021 before Emma Doyle, residing at 24 Haddington Place, Edinburgh

Signed .. **P Doyle**
Legal Member

20 October 2021

Witness.... **E Doyle**....

Housing and Property Chamber First-tier Tribunal for Scotland



STATEMENT OF DECISION of the First-tier tribunal for Scotland (Housing and Property Chamber) under the Housing (Scotland) Act 2006

Chamber Ref: Reference number: FTS/HPC/RT/20/1752

Property: 2/1, 65 Causeyside Street, Paisley, PA1 1YT ("The property")

Parties:

Luke Humberstone, residing at 2/1, 65 Causeyside Street, Paisley, PA1 1YT ("the Applicant")

Mr Amarjit Kaur Kambo, residing at 142 Maxwell Drive, Glasgow, G41 5AF, and c/o 1st Lets (Glasgow) Limited, 2 Calder St, Glasgow G42 7RT. ("the Respondent")

Tribunal Members

Paul Doyle	Legal Member
Lorraine Charles	Surveyor Member

Unanimous Decision of the Tribunal

The First-tier tribunal for Scotland (Housing and Property Chamber) ('the tribunal') certifies that the work required by the Repairing Standard Enforcement Order relative to the Property made on 31 July 2021 has been completed. Accordingly, the said Repairing Standard Enforcement Order relative to the property is discharged.

Reasons for decision

1. On 21 July 2021 the First-tier Tribunal for Scotland (Housing and Property Chamber) issued a decision requiring the Landlord to comply with a repairing standard enforcement order made by the Committee on 21 July 2021.
2. The Repairing Standard Enforcement Order ("RSEO") required the Landlord to
 - (a) complete the seal to the exterior of the bedroom window
 - (b) frame and line the interior of the cupboard below the kitchen window

All within 6 weeks

3. On 16 September 2021 the respondent's representatives e-mailed the tribunal saying

...the works required at the above property as set out at the Repairing Standard CMD are now complete.

4. Tribunal members re- inspected the property at 11.30am on 13 October 2021. The surveyor member took photographs which are contained within the surveyor member's report. This decision is to be read with the surveyor member's report a copy of which is annexed hereto.

5. The applicant was present at the reinspection. The respondent was neither present nor represented. At the start of the reinspection, the applicant told us that the work required by the RSEO have been completed.

6. Tribunal members inspected the bedroom window to the rear of the property and its surround. Tribunal members could see that the seal between the original stonework and the double-glazed unit has been filled with expandable foam and white silicon. The window is now fully sealed and wind and watertight.

7. Tribunal members inspected the cupboard below the kitchen window. Tribunal members could see that the cupboard below the kitchen window has been framed and lined. No draught was complained of by the applicant nor was any draught noticed by tribunal members.

8. Both parties agree that the work required by the RSEO have been completed.

9. The tribunal therefore decided to issue a certificate of completion of works in terms of s. 60 of the Housing (Scotland) Act 2006.

10. 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.

11. 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.

Signed ..
Legal Member

P Doyle

20 October 2021

Housing and Property Chamber First-tier Tribunal for Scotland



Re-inspection summary and schedule of photographs



Property 2/1 65 Causeyside St, Paisley PA1 1YT

Ref No: FTS/HPC/RT/20/1752

Tribunal members *Paul Doyle Legal Member and Lori Charles Ordinary Member (Surveyor)*

Purpose of inspection

The purpose of the inspection is to prepare a record of the position at the property, specifically as it relates to the items raised in the application and any issues arising therefrom.

Access

The above Tribunal Members attended the property at 11:30am on 12/10/21. Also in attendance were Mr Luke Humberstone the tenant.

*Lori Charles Bsc(Hons) MRICS
Ordinary (Surveyor) Member
First-Tier Tribunal for Scotland
13/10/21*

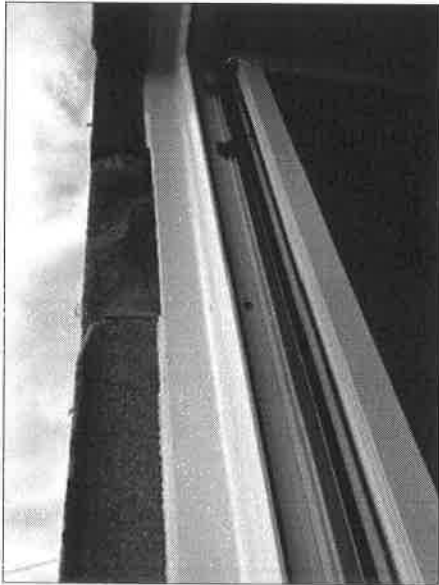
Appendix 1

Schedule of photographs taken during the inspection on 12/10/21
Repairing Standard Enforcement Order (RSEO): Dated - 20th July 2021

In particular the tribunal requires the landlord:-

- (a) complete the seal to the exterior of the bedroom window
- (b) frame and line the interior of the cupboard below the kitchen window

Bedroom window



Seal between the original stonework and the double-glazed unit has been filled with expandable foam and white silicon. Window is now fully sealed and wind and water tight.

Kitchen



Cupboard below kitchen window has been framed and lined no draught noted