

# **Housing and Property Chamber**

## **First-tier Tribunal for Scotland**

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

**CERTIFICATE OF COMPLETION OF WORK: Housing (Scotland) Act 2006  
Section 60**

**Chamber Ref: PRHP/RP/16/0039**

**12 Rowantree Crescent, Dundee, DD4 8EX, Land Certificate Title Number  
ANG25995 ("The Property")**

**The Parties:-**

**Ms Laura Joan Anderson, formerly residing at the Property  
("the Tenant(s"))**

**Mr Raymond James Wilson, represented by his agent, Mr Malcolm  
Dalziel, 91 Westbrook Crescent, Old Hall, Warrington, Cheshire, WA5  
8TE ("the Landlord")**

**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 House served following a  
decision of the Private Rented Housing Committee on 21 April 2016 has  
been completed. Accordingly, the said Repairing Standard Enforcement  
Notice relative to the House has been discharged**

**A landlord or tenant aggrieved by this decision of the tribunal may seek  
permission to appeal from the First-tier Tribunal on a point of law only  
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 the order is  
suspended until the appeal is abandoned or finally determined, and where the  
appeal is abandoned or finally determined by confirming the decision, the  
decision and the 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 page are executed by  
Maurice O'Carroll, Advocate, Advocates Library, Parliament House,  
Edinburgh EH1 1RF, Legal Chairman of the tribunal at Glasgow on 23  
January 2017 before this witness.

Signed  
Maurice O'Carroll, Chairperson

Date: 23 January 2017

J Spence

witness:

Joyce Spence

Name of witness

CASEWORKER

Occupation

1 ATLANTIC QUAY, GLASGOW

Address

G2 8SB

# **Housing and Property Chamber**

## **First-tier Tribunal for Scotland**

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**Statement relative to the Certificate of Completion issued by the tribunal**

**Chamber Ref: PRHP/RP/16/0039**

**12 Rowantree Crescent, Dundee, DD4 8EX, Title Number ANG25995  
("The Property")**

**The Parties:-**

**Ms Laura Joan Anderson, formerly residing at the Property  
("the Tenant(s)")**

**Mr Raymond James Wilson, represented by his agent, Mr Malcolm Dalziel, 91 Westbrook Crescent, Old Hall, Warrington, Cheshire, WA5 8TE ("the Landlord")**

**Committee:**

**Mr Maurice O'Carroll (Legal Chairperson)**

**Mrs Geraldine Wooley (Surveyor Member)**

**Decision**

**The tribunal having made such enquiries as was appropriate for the purposes of determining whether the Landlord has complied with the Repairing Standard Enforcement Order ("RSEO") relative to the Property and taking into account subsequent inspections by the Surveyor Member, determined that the Landlord had now complied with the terms of the RSEO and resolved to issue a Certificate of Completion in respect of the works required by the RSEO.**

- 1. By decision dated 21 April 2016, the Private Rented Housing Committee (now the tribunal) issued a determination that the Landlord had failed to comply with the duties imposed by section 14(1)(b) of the Housing (Scotland) Act 2006 ("the Act").**
- 2. On the same date, the Committee issued an RSEO. The RSEO required the Landlord to:**
  - 1. Repair the main front door to the House and ensure that it is properly operational and secure.**
  - 2. Repair or replace the non-operational window lights at top left of window units in living room and front bedroom and ensure that they have operational handles, are draught proof and secure.**
  - 3. Reinstate the boundary fences at the front of the House.**

4. Replace and properly fix the loose floorboard on the upstairs landing in front of the bedrooms to the House to ensure that it is no longer a trip hazard.
  5. Repair the leaks to the downstairs WC and sink.
  6. Inspect and repair the pipework and leaks to the upstairs bathroom.
  7. Install an internal, lockable door to the upstairs shower room.
  8. Repair the ceiling in the upstairs shower room.
  9. Ensure that all faults listed in the EICR require are addressed and repaired, with the Category 2 items being completed as a matter of priority. Thereafter present a clear EICR to the PRHP showing no electrical works remaining outstanding.
  10. Replace all internal doors with appropriate door furniture to ensure that they close properly.
  11. Replace the banister on the staircase.
  12. Repair or replace all kitchen cupboards so that the doors operate correctly.
  13. Replace all missing skirting boards and architraves throughout the House.
  14. Finish all walls in the kitchen to an acceptable standard as appropriate, whether by means of tiling or other water resistant finish.
  15. Install satisfactory provision for the detecting of fires in accordance with the latest fire safety regulations and guidance as set out on the PRHP website at [www.prhpscotland.gov.uk](http://www.prhpscotland.gov.uk).
3. The RSEO allowed the Landlord a period of six weeks to complete the works required.
  4. At the request of the Landlord, a Variation of the RSEO was issued by the Committee on 22 June 2016 permitting additional time for the works to be completed. The RSEO as varied allowed the Landlord until 31 October 2016 to complete the works.
  5. After a further application by the Landlord, the Committee decided on 17 November 2016 to vary the RSEO to extend the time for compliance for one last time to 28 December 2016.
  6. On 16 January 2017, the Surveyor Member of the tribunal re-inspected the property and found that all of the requirements of the RSEO had been completed. She was also provided with an EICR report dated 6 January 2017 which indicated that the Property had been completely re-wired to a satisfactory standard and that there were no category C actions reported. A copy of that report is appended to the present decision.
  7. In light of the above, the tribunal was satisfied that all requirements contained within the RSEO had been carried out.

## **Decision**

8. The tribunal's decision was therefore to discharge the RSEO and to grant

the Certificate of Completion in terms of section 60 of the Act. That decision was unanimous.

### **Right of Appeal**

9. **A landlord or tenant aggrieved by this decision of the tribunal may seek permission to appeal from the First-tier Tribunal on a point of law only within 30 days of the date the decision was sent to them**

### **Effect of section 63 of the 2006 Act**

10. Where such an appeal is made, the effect of the decision and of the order is suspended until the appeal is abandoned or finally determined, and where the appeal is abandoned or finally determined by confirming the decision, the decision and the order will be treated as having effect from the day on which the appeal is abandoned or so determined.

M O'Carroll

Legal Chairperson

Date: 23 January 2017