

# 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: PRHP/EH23/28/13

Title no/Sasines Description:

All and Whole the dwelling house known as 17 Main Street, Gorebridge, Midlothian EH23 4BX as more particularly described in Land Certificate Title Number MID125409 ("The Property")

The Parties:-

Laura Walker (hereinafter "the Tenant")

Krishnabavan Mathijaparanam, 4 Big Briggs Way, Newtongrange, Midlothian EH22 4DG (hereinafter "the Landlord")

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 dated 5 December 2013 has been completed. Accordingly, the said Repairing Standard Enforcement Order relative to the property has been discharged.

**A landlord, tenant or third party applicant aggrieved by the 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.**

In witness whereof these presents type written on this page are executed by John Miller McHugh, solicitor, 65 Haymarket Terrace, Edinburgh, chairperson of the tribunal at Edinburgh on 26 January 2018 before this witness:-

J McHugh

J Henderson

\_\_\_\_ chairperson

\_\_\_\_ witness

J Henderson

\_\_\_\_ name in full

65 HAYMARKET TERRACE, EDINBURGH 11 Address

# **Housing and Property Chamber**

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

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

**STATEMENT OF DECISION: Housing (Scotland) Act 2006 Section 24 (1)**

**Chamber Ref: PRHP/EH23/28/13**

**RE: Property at 17 Main Street, Gorebridge, Midlothian EH23 4BX as more particularly described in Land Certificate Title Number MID125409 ("The Property")**

**The Parties:-**

**Laura Walker (hereinafter "the Tenant")**

**Krishnabavan Mathijaparanam, 4 Big Briggs Way, Newtongrange,  
Midlothian EH22 4DG (hereinafter "the Landlord")**

### **Tribunal Members**

John McHugh, Chairperson

Mike Links, Ordinary (Surveyor) Member

John Blackwood, Ordinary (Housing) Member

### **Decision**

**The First-tier tribunal for Scotland (Housing and Property Chamber) ("the Tribunal"), having carried out a further inspection of the House determined that the work required by the Repairing Standard Enforcement Order dated 5 December 2013 ("the RSEO") had been completed and resolved to issue a Certificate of Completion of Work.**

**The decision of the Tribunal Members was unanimous.**

## **Background**

The RSEO required the Landlord to complete the following works within three months of service of the RSEO:

- 1 To obtain a certificate from a qualified electrician that the electrical installations in the House are in safe working order and to produce a copy of same to the Committee.
- 2 To obtain a Landlord's Gas Safety Certificate from a Gas Safe registered engineer confirming that the central heating system in the living room is in safe working order and to produce a copy of same to the Committee.
- 3 To ensure that all exterior stonework is properly pointed such as to reasonably prevent the ingress of water.
- 4 To effect repairs to prevent the ingress of water to the conservatory.
- 5 To carry out works to ensure that the property is reasonably free of dampness and to obtain a report from a suitably qualified builder or contractor confirming the absence of dampness.
- 6 To clear all gutters of debris.

## **Reasons for the Decision**

On 6 November 2014, and after re-inspection of the Property, the Committee of the Private Rented Housing Panel (being the Tribunal's predecessor) determined that the works required by paragraphs 1, 2, 3, 4 and 6 had been completed but that the works required by paragraph 5 had not been completed.

The Surveyor member carried out a further re-inspection of the Property on 8 January 2018. At the re-inspection it was observed that all previously damp areas were free of dampness.

The landlord provided evidence from contractors, Richardson & Starling in the form of their report, estimate and guarantee that damp proofing works had been completed.

Accordingly, all works required by the RSEO have been completed.

## **Right of Appeal**

**A landlord, tenant or third party applicant aggrieved by the 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**

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.

J McHugh

Signed .....

Date .....26 January 2018.....

Chairperson