

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 Reference: FTS/HPC/RP/18/1779

**Property: 70H Paisley Road, Renfrew PA4 8EX ("the Property")
Title Number: REN21059**

Parties:

John McLean, sometime 40H Paisley Road, Renfrew PA4 8EX ("The Tenant")

Mohammed Ishraf, Mohammed Razaq and Mohammed Younis, care of and represented by GPS Property, 467 Victoria Road, Queens Park, Glasgow G42 8RL ("The Landlord")

Tribunal Members – George Clark (Legal Member) and Nick Allan (Ordinary Member)

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 30 October 2018, as varied on 17 June 2019, has been completed. Accordingly, the said Repairing Standard Enforcement Order relative to the property has been discharged.

Right of Appeal

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 typewritten on this and the preceding page are executed by George Barrie Clark, solicitor, Lasswade, Legal Member/Chair of the tribunal at Lasswade, Midlothian on 23 July 2019 before this witness, Valerie Elizabeth Jane Clark, Droman House, 5 School Brae, Lasswade, Midlothian.

G Clark

V Clark

_____ Legal Member/Chair

_____ witness

Housing and Property Chamber First-tier Tribunal for Scotland



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

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Parties:

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8RL (“The Landlord”)**

**Tribunal Members – George Clark (Legal Member) and Nick Allan
(Ordinary/surveyor Member)**

Decision

The First-tier Tribunal for Scotland Housing and Property Chamber determined that the work required by the Repairing Standard Enforcement Order in respect of the Property, made on 30 October 2018, as varied on 17 June 2019, had been carried out and that a Certificate of Completion of Works should be issued.

Background

1. On 30 October 2018, the First-tier Tribunal for Scotland Housing and Property Chamber (“the Tribunal”) made a Repairing Standard Enforcement Order (“the Order”) in respect of the Property. The Order required the Landlord, within a period of 8 weeks from the date of service of the Order:

- (1) to exhibit to the Tribunal a satisfactory up to date Electrical Installation Condition Report in respect of the entire electrical installation in the Property;

- (2) to exhibit to the Tribunal satisfactory Portable Appliance Tests in respect of all electrical appliances provided by the Landlord, including the cooker, fridge/freezer, microwave oven and washing machine;
- (3) to replace the sofa with one which is in a reasonable state of repair and which meets current fire safety requirements;
- (4) to carry out such repairs to the windows as are necessary to ensure they are wind and water tight and fully operational so as to allow safe cleaning from inside;
- (5) to install in the Property a fixed form of heating, whether electrical or gas, to provide adequate heating throughout the Property and, in the event that the heating is electrical, to ensure that it is covered by the Electrical Installation Condition Report required by the Order and, in the event that it is gas, to provide to the Tribunal a satisfactory Gas Safety Certificate when the heating installation work has been completed; and
- (6) to carry out such repairs as are necessary to restore the washing machine to proper and safe working order, or to replace it.

2. On 19 March 2019, the Tribunal determined that the Landlord had failed to comply with the Order, as none of the work required by the Order had been carried out.

3. On 17 June 2019, the Tribunal reinspected the Property. The Tenant had vacated the Property, so was no longer a Party to the application. The Landlord, Mohammed Younis, was present at the reinspection. Following the reinspection, a hearing took place at Glasgow Tribunals Centre, 20 York Street, Glasgow. The Landlord was present.

4. Following the reinspection and hearing, the Tribunal varied the Order to give the Landlord an additional period of 4 weeks to complete the outstanding work, namely the reconnection of the electricity supply to the Property, to enable the Tribunal to check that the oven, hob and washing machine were working.

5. The Ordinary/surveyor member of the Tribunal reinspected the Property on 10 July 2019. A copy of his Report is attached to and forms part of this Statement of Decision.

Reasons for Decision

6. The Report following the reinspection on 10 July 2019 confirmed that the one outstanding matter, namely the reconnection of the electricity supply to the Property and the repair of the Consumer Unit had been carried out. Accordingly, the Ordinary/surveyor member of the Tribunal had been able to check that the oven, hob and washing machine were working. The Tribunal is satisfied that all the work required by the Order has now been carried out.

The Decision of the Tribunal was unanimous.

Right of Appeal

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G Clark

Signed ..

.....Legal Member/Chairperson

Date 23 July 2019

This is the Report of 10 July 2019
reinspection referred to in the
foregoing Statement of Decision
G Clark
G Clark

Housing and Property Chamber
First-tier Tribunal for Scotland



3rd Re-inspection – Update Report
70H Paisley Road, Renfrew, PA4 8EX

Case Reference: FTS/HPC/RP/18/1779

Date of inspection: 10/07/2019

Time of inspection: 10.00 am

Weather conditions: Dull and overcast

Present: Mr Nick Allan – Ordinary Member
Mr Mohammed Younis - Landlord



Photo 1 – Front elevation

Inspection observations

The subject property was previously inspected on the 17th June 2019. At that time it was noted that the washing machine and electric cooker had been replaced, the defective electric socket in the kitchen replaced and electric convactor heaters had been installed in the Living room and Bedroom.

It was further noted that the Consumer Unit in the Hallway had been tampered with, and the electric power within the Flat had been cut off. Accordingly it was therefore not possible to test the washing machine, cooker, electric socket or the heaters.

The Landlord advised that Scottish Power were due to attend to the Consumer Unit in the near future.

At the date of the re-inspection held on the 10th July, it was noted that the Consumer Unit had been repaired and the aforementioned items were duly tested.

These items were noted to be in satisfactory working order.

Nick Allan FRICS
Surveyor – Ordinary Member
First-tier Tribunal
Housing and Property Chamber – 18th July 2019