

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

Property: 4 Lanark Avenue, Deans, Livingston EH54 8QL (“the Property”/ “the house”)

Title No: WLN20372

Chamber Reference: FTS/HPC/RP/18/2179

Parties:

Louise Kelly, 4 Lanark Avenue, Deans, Livingston EH54 8QL (“the Tenant”)

Paul Richardson, 270 Sutherland Way, Knightsridge, Livingston EH54 8HT (“the Landlord”)

Tribunal members: George Clark (Legal Member/Chair) and Andrew Murray (Ordinary/surveyor 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 24 October 2018 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 12 June 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 made under Section 60 of the Housing (Scotland) Act 2006

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Chamber Reference: FTS/HPC/RP/18/2179

Parties:

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Paul Richardson, 270 Sutherland Way, Knightsridge, Livingston EH54 8HT (“the Landlord”)

Tribunal Members – George Clark (Legal Member/Chairperson) and Andrew Murray (Ordinary Member/Surveyor)

Decision

The Tribunal determined that the work required by the Repairing Standard Enforcement Order made on 24 October 2018 had been carried out and that a Certificate of Completion to that effect should be issued.

1. On 24 October 2018, the Tribunal made a Repairing Standard Enforcement Order in respect of the Property. The Order required the Landlord:
 - to instruct a suitably qualified plumber to carry out such repairs as are necessary to ensure the water draining from the bath is carried directly to the drainage system and does not emerge through the shower trap;
 - to re-seal the side of the bath;
 - to repair the damage caused to the ceilings of the storage cupboard and downstairs toilet by water penetration from the bathroom above and to redecorate the affected areas once the repair work has been carried out;
 - to carry out such repairs as are necessary to ensure there is no leak at the joint of the overflow pipe and extension pipe above the front door of the Property;
 - to carry out such repairs as are necessary to ensure the front entrance door of the Property is wind and water tight and closes properly against the frame, leaving no gaps; and

- to install mains-wires and interlinked smoke and heat detectors in the Property to comply with the Scottish Government's Building Standard Division Revised Domestic Technical Handbook 2013.
- 2. The Tribunal ordered that the works required by the Order must be carried out within the period of 6 weeks from the date of service of the Order.
- 3. The Property was reinspected by the surveyor member of the Tribunal on 28 January 2019.
- 4. The Tribunal found that all the works required by the Order had been carried out, apart from redecoration works and the sealing of the open end of the bath.
- 5. On 26 February 2019, the Landlord provided the Tribunal with photographic evidence showing the hall cupboard and downstairs toilet ceilings had been redecorated and on 3 June 2019, the Landlord provided photographic evidence that the sealant issue at the end of the bath had been rectified.
- 6. The issues to be determined were whether the Landlord had complied with the Repairing Standard Enforcement Order in respect of the Property and whether a Certificate of Completion to that effect should be issued.

Findings of Fact

- 6 The Tribunal finds the following facts to be established:-
- The Landlord has now completed all the work required by the Repairing Standard Enforcement Order

Reasons for Decision

The Tribunal having determined that all the works required by the Order have been carried out, a Certificate of Completion should be issued.

Decision

The Tribunal accordingly determined that a Certificate of Completion of Works should be issued in terms of Section 60 of the 2006 Act.

The decision of the Tribunal was unanimous.

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.

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G Clark

Signed Date 12 June 2019
Chairperson