

Housing and Property Chamber

First-tier Tribunal for Scotland



First-tier Tribunal for Scotland (Housing and Property Chamber)

Certification that the work required by a Repairing Standard Enforcement Order has been completed: Housing (Scotland) Act 2006, Section 60

Chamber Ref: FTS/HPC/RP/17/0105

Flat 3/3, 1097 Tollcross Road, Glasgow, G32 8UH
("the Property")

The Parties:-

Rona Campbell-Doughty, Flat 3/3, 1097 Tollcross Road, Glasgow, G32 8UH
("the Tenant")

First Lets, 704 Cathcart Road, Glasgow G42 8ES, ("the Landlord's agents") as agents for Justin Girasoli, 38 Whiteacres Road, Glasgow, G53 7LJ ("the Landlord")

Tribunal Members:

Adrian Stalker (Chairman) and Mike Links (Ordinary Member)

The First-tier tribunal for Scotland (Housing and Property Chamber) ("the tribunal") having so determined on 26 October 2017, hereby grants certification that the work required by the **Repairing Standard Enforcement Order** relative to the property, served on 10 June 2017, has been completed, with effect from the date of service of this Certificate, and the relative decision. Accordingly the said RSEO relative to the property has been discharged.

A landlord, tenant or third party applicant 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 type written on this and the preceding page are executed by Adrian Stalker, advocate, Advocates Library, Parliament House, chairperson of the tribunal at Glasgow on 10 November 2017, before this witness:-

A Stalker

____ witness

JULIE MCANULTY name in full
1 ATLANTIC QUAY
45 ROBERTSON Address
ST GLASGOW
92 8JB

Housing and Property Chamber

First-tier Tribunal for Scotland



First-tier Tribunal for Scotland (Housing and Property Chamber)

Statement of Decision to Certify that the work required by a Repairing Standard Enforcement Order has been completed: Housing (Scotland) Act 2006, Section 60

Chamber Ref: FTS/HPC/RP/17/0105

Flat 3/3, 1097 Tollcross Road, Glasgow, G32 8UH
("the Property")

The Parties:-

Rona Campbell-Doughty, Flat 3/3, 1097 Tollcross Road, Glasgow, G32 8UH
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First Lets, 704 Cathcart Road, Glasgow G42 8ES, ("the Landlord's agents") as agents for Justin Girasoli, 38 Whiteacres Road, Glasgow, G53 7LJ ("the Landlord")

Tribunal Members:

Adrian Stalker (Chairman) and Mike Links (Ordinary Member)

Decision

The First-tier tribunal for Scotland (Housing and Property Chamber) ('the tribunal'), decided to certify that the work required by the Repairing Standard Enforcement Order ("RSEO") served on 10 June 2017, has been completed, with effect from the date of service of this decision, and the relative certificate under section 60.

Findings; reasons for decision

1. Reference is made to the tribunal's determination in this case, and the RSEO.
2. The Property was re-inspected by Ordinary (Surveyor) Member on 4 August 2017. Reference is made to his reinspection report of that date. He found that: the double electrical socket in the living room had been securely attached; and that the missing doors of the kitchen cupboards in which the fridge and the washing machine are situated had been replaced with doors that, in appearance, colour and finish, were as near as may be to the other kitchen cupboard doors.
3. The tribunal had been informed, prior to the reinspection, that the tenant was no longer in occupation of the subjects. This rendered requirement 1(b) (to supply the

Tenant with keys to the existing locks at the front and rear doors) no longer necessary.

3. The Ordinary Member accordingly concluded that requirement 2(b), and part of requirement 2(a) in the RSEO had been met, but that requirement 1(a) (repair or replace the door entry intercom panel at the rear entrance to 1097 Tollcross Road, and to effect any other repair or replacement necessary to put the door entry intercom system at that door into proper working order), and part of 2(a) (securely attach the internal light switch, to the left of the front door, to the wall in which it is situated) were still outstanding.

4. Both members of the tribunal inspected the property again on the morning of 25 October 2017. Mr Iqbal, of the Landlord's agents, attended the inspection.

5. At the inspection, the tribunal found that both of the outstanding repairs, described in paragraph 3 above, had been carried out. In particular, the members tested the door entry system at the rear entrance, and found it to be in proper working order.

6. A hearing was scheduled to take place at later that morning Wellington House, Glasgow. There was no appearance by any party at the hearing.

7. The tribunal decided to certify that the work required by the RSEO has been completed. The section 60 Certificate is referred to for its terms.

8. The decision of the tribunal was unanimous.

9. In terms of section 63 of the Housing (Scotland) Act 2006, this decision, and the variation, have effect from the date on which it is served.

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 **A Stalker**

Date 26 October 2017

Chairman