

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: FTS/HPC/RT/19/2570

Title no: STG65532

Property address: 91b Main Street, Falkirk FK2 7NT ("The Property")

The Parties:- Falkirk Council ("the Third Party Applicant")

Mr Sardar Ijaz and Mrs Shehnaz Ijaz ("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 4 December 2019 has been completed. Accordingly, the said Repairing Standard Enforcement Order relative to the property has been discharged.

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 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 the presents typewritten on this and the preceding page are subscribed as follows:-

M Thorley

..... Chairing Member

Kingsnorth..... Place of signing

26 Aug 2020..... Date of signing

M Hill

ess

20 Hopetoun St..... Witness address

Falkirk Burgh.....

EH7 4GM.....

Housing and Property Chamber First-tier Tribunal for Scotland



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Decision: Housing (Scotland) Act 2006

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Title no: STG65532

Property address: 91b Main Street, Falkirk FK2 7NT (“The Property”)

The Parties:- Falkirk Council (“the Third Party Applicant”)

Mr Sardar Ijaz and Mrs Shehnaz Ijaz (“the Landlord”)

Tribunal Members:

**Mark Thorley (Legal Member)
Sara Hesp (Ordinary Member)**

Decision

1. The First Tier Tribunal for Scotland (Housing & Property) Chamber (“the Tribunal”) having made such enquiries as was appropriate for determining whether the landlords have complied with the Repairing Standard Enforcement Order (“RSEO”) in relation to the property concerned in taking account of the subsequent information provided by the landlords, determined that the landlords have complied with the order and that a certificate of completion of work to that effect should be issued in terms of Section 60 of the Housing (Scotland) Act 2007.

Background

1. On 4 December 2019 the Tribunal issued a decision in terms of Section 24(1) of the 2006 Act and made a Repairing Standard Enforcement Order (“RSEO”) requiring the landlord to carry out such work as necessary for the purposes of ensuring that the property meets the repairing standard under Section 13 of the 2006 Act and that any damage caused by the carrying out any work in terms of the RSEO was made good.
2. A subsequent re-inspection by the ordinary member of the property was undertaken on 28 February 2020 and thereafter a subsequent decision was made by the Tribunal confirming that the landlord had failed to comply with the Repairing Standard Enforcement Order dated 4 December 2019.

3. On 15 July 2020 the Tribunal received documentation from the landlords providing the following:
 - (i) Signed document evidencing that the source of water was the above flat and there is no issue presently in the kitchen ceiling and it has been repaired.
 - (ii) Signed document from the number 91A Main Street, Falkirk confirming the source of the water had been the upstairs flat and the issue had been resolved.#
 - (iii) Portable appliance test of the two new heaters provided with the property.
 - (iv) Photograph of the bath showing brand new panels had been installed to the bath properly fitted.
 - (v) Receipts for the new bath panels.
 - (vi) The third party applicant confirmed that the information provided showed the requested works had been completed.

Reasons for Decision

1. The Tribunal considered the documentation as provided by the landlords. The documentation confirmed that the matters that had been outstanding following up the inspection on 28 February 2020 had now been completed.

In addition to that the third party applicant was content that the information shows that the requested works had been completed.

2. In the circumstances the Tribunal determined that the works as required to be performed under the RSEO had been performed.

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.

M Thorley

Signed.....
Legal Member

Dated..... 26 Aug 2020