

# 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**

**Tribunal Ref: PRHP/RP/14/0248**

**Re: Property at 34D Bayhead, Stornoway, Isle of Lewis HS1 2DX ("the Property")**

**Sasine Description:** ALL and WHOLE the ground floor flatted dwellinghouse known as 34D Bayhead Street, Stornoway, Isle of Lewis in the County of Ross & Cromarty, being part of the subjects more particularly described in and disposed by Disposition by Margaret Morrison or Mackay and others in favour of Arshid Mohammed dated 7 February 1991 and subsequent dates and recorded in the Division of the General register of Sasines applicable to the County of Ross & Cromarty on 14 February 1992.

### **The Parties:-**

Mr Geraint Brown, residing sometime at 34D Bayhead, Stornoway, Isle of Lewis HS1 2DX ("the Tenant")

Mr Arshid Mohammed, residing at 46 Morrison Avenue, Stornoway, Isle of Lewis ("the Landlord")

**Tribunal members:** Mr George Clark (Legal member/Chair) and Mrs Sara Hesp (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 23 March 2015 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 type written on this page are executed by George Barrie Clark, solicitor, Lasswade, Chair of the tribunal at Lasswade, Midlothian on 9 May 2017 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 made under Section 60 of The Housing (Scotland) Act 2006**

**Tribunal Ref: PRHP/RP/14/0248**

**Re: Property at 34D Bayhead, Stornoway, Isle of Lewis HS1 2DX ("the Property")**

**The Parties:-**

**Mr Geraint Brown, residing sometime at 34D Bayhead, Stornoway, Isle of Lewis HS1 2DX ("the Tenant")**

**Mr Arshid Mohammed, residing at 46 Morrison Avenue, Stornoway, Isle of Lewis ("the Landlord")**

**Tribunal members: Mr George Clark (Legal member/Chair) and Mrs Sara Hesp (Ordinary member)**

### **Decision**

The Tribunal, having made such enquiries as it saw fit for the purposes of determining whether the Landlord has complied with the Repairing Standard Enforcement Order made by the Committee on 23 March 2015 in relation to the Property, and taking account of the evidence led by the Landlord at the hearing on 28 October 2016 and the documentation provided to the Tribunal after the hearing, determined that the Landlord had completed the works required by the Repairing Standard Enforcement Order and that a Certificate of Completion to that effect should be issued.

### **Background**

1. By application dated 23 October 2014, the Tenant applied to the Private Rented Housing Panel for a determination of whether the Landlord had failed to comply with the duties imposed by Section 14 (1)(b) of the Housing (Scotland) Act 2006 ("the Act").
2. The application by the Tenant stated that the Tenant considered that the Landlord had failed to comply with his duty to ensure that the house meets the repairing standard and in particular that the Landlord had failed to ensure that:-

- (a) the house is wind and water tight and otherwise fit for human habitation,
- (b) the installations in the house for the supply of water, gas and electricity and for sanitation, space heating and heating water are in a reasonable state of repair and in proper working order,
- (c) any fixtures, fittings and appliances provided by the Landlord under the tenancy are in a reasonable state of repair and in proper working order, and
- (d) the house has satisfactory provision for detecting fires and for giving warning in the event of a fire or suspected fire.

3. By letter dated 21 November 2014, the President of the Private Rented Housing Panel intimated a decision to refer the application under Section 22 (1) of the Act to a Private Rented Housing Committee.
4. The Private Rented Housing Committee served Notice of Referral under and in terms of Schedule 2, Paragraph 1 of the Act upon both the Landlord and the Tenant.
5. The Private Rented Housing Committee inspected the Property on the morning of 26 February 2015. Following the inspection of the Property the Private Rented Housing Committee held a hearing at Bayhead Bridge Centre Trading Limited, Lamont Lane, Bayhead, Stornoway and heard from the Landlord.
6. The Committee comprised Mr George Clark (Legal Member/Chair) and Mrs Sara Hesp (Ordinary Member).

Following the inspection and hearing, The Committee made a Repairing Standard Enforcement Order requiring the Landlord:

- (1). To instruct a suitably qualified electrician to carry out such repairs and remedial works as are required to ensure that the installation in the Property for the supply of electricity and the electrical fittings and appliances are in a reasonable state of repair and in proper working order and thereafter to provide an electrical inspection report by a suitably qualified electrician on the working order and condition of the installation in the Property for the supply of electricity, which report will also address the state of repair and working order of the electrical fittings and appliances.
- (2). To carry out such repairs to the external door of the Property as are necessary, including the fitting of a door plate at the bottom, to make the Property wind and water tight.
- (3). To carry out such repairs as are necessary to the washing machine in the Property and the connection to the cold water feed serving it to ensure that

the washing machine is in a reasonable state of repair and in proper working order.

(4). To carry out such works as are necessary to ensure that the floor surfaces and floor coverings in the Property are in a reasonable state of repair and do not present a tripping hazard to occupiers of the Property.

(5). To carry out such works as are necessary to securely attach the wash hand basin in the shower room to the wall, and

(6). To install in the Property a satisfactory system for detecting fires and for giving warning in the event of fire or suspected fire, which system should comply with the Domestic Technical Handbook Guidance and provide at least one functioning smoke alarm in the living/sleeping/kitchen area of the Property, one functioning smoke alarm in the hallway and one heat alarm in the kitchen area, all alarms being hard-wired and interlinked.

The Private Rented Housing Committee ordered that the works specified in the Order must be carried out and completed within the period of three months from the date of service of the Notice.

7. The Repairing Standard Enforcement Order was served on the Landlord on 23 March 2015.

8. The Committee reinspected the Property on the morning of 22 July 2015. The Landlord was present during the reinspection. The Tenant, having vacated the Property, was not present or represented at the reinspection or at the subsequent hearing at Bayhead Bridge Centre Trading Limited, Lamont Lane, Bayhead, Stornoway. The Landlord was present at the hearing and was accompanied and represented by Mr David Harris of Island Advocacy CIC.

9. Following the reinspection and hearing, the Committee found that the Landlord had not complied with the terms of the Repairing Standard Enforcement order and reported the failure to the local authority and the police.

10. The Landlord provided the Committee with an Electrical Installation Condition Report in respect of the Property dated 13 September 2016, issued by IP Electrics, 36 Lower Bauble, Stornoway, a SELECT Member and advised the Committee that the works required by the Order had been completed.

11. The Committee reinspected the Property on the morning of 28 October 2016. The Landlord was present at the reinspection. The Tenant, having vacated the Property, was not present or represented at the reinspection or at the subsequent hearing held at Bayhead Bridge Centre Trading Limited, Lamont Lane, Bayhead, Stornoway. The Landlord was present at the hearing and was represented by Mr Angus Macdonald, solicitor.

12. The weather at the time of the reinspection was dry and sunny.
13. A file of photographs taken at the reinspection is attached to and forms part of this Statement of Decision.
14. At the hearing, the Committee advised the Landlord that the Electrical Installation Condition Report provided to the Committee by the Landlord did not contain an answer to the question of whether the Overall Assessment of the installation in terms of its suitability for continued use was Satisfactory or Unsatisfactory. The Landlord's solicitor told the Committee that this appeared to have been an oversight on the part of the SELECT Member contractor who had prepared the Report and that the Landlord would ask the contractor to reissue it with the relevant section completed.
15. The Landlord's solicitor noted comments made by the Committee that the smoke detection system did not include a smoke detector in the living/sleeping/kitchen area of the Property or a heat detector in the kitchen area and advised that this would now be attended to. He also noted the comments made by the Committee that a threshold bar was required to secure the floor vinyl at the front door of the Property.
16. On 4 November 2016, the Landlord's solicitor sent to the Tribunal a copy Invoice from Medlock Electrical Distributors dated 31 October 2016 for the purchase of a smoke alarm and a heat alarm, a replacement front page for the Electrical Installation Condition Report of 13 September 2016, showing the Overall Assessment as Satisfactory, a Certificate of Design, Installation and Commissioning of a Fire Detection and Alarm System from IP Electrics, dated 31 October 2016 and a Minor Electrical Installation Works Certificate for the extension of the smoke alarm system to accommodate two detectors, issued by IP Electrics on 31 October 2016. The solicitors sent a further letter to the Tribunal dated 10 November 2016, enclosing photographs of the fitted threshold bar at the entrance door to the Property, smoke detectors in the living/sleeping area of the Property and a heat detector in the kitchen area. Copies of the letters of 4 and 10 November 2016, with their enclosures, are attached to and form part of this Statement of Decision.
17. The jurisdiction of the Private Rented Housing Panel was transferred to the Housing and Property Chamber of the First-tier Tribunal for Scotland with effect from 1 December 2016. This is, therefore, a Decision of the Tribunal.

### **Summary of the issues**

18. The issues to be determined were whether the Landlord had complied with the Repairing Standard Enforcement Order and whether a Certificate of Completion of Works should be issued under Section 60 of the Act.

## Findings of fact

19. The Tribunal finds the following facts to be established:-

- Repairs and remedial works to the electrical installation have been carried out and a satisfactory Electrical Installation Condition Report has been provided to the Committee.
- The external door has been replaced and appears to be wind and water tight.
- The washing machine in the Property has been removed.
- The living/sleeping area has been carpeted and vinyl has been laid in the kitchen area and the two are connected by a generous threshold strip. Vinyl has been fitted in the shower room and hallway. The vinyl is now securely fitted to the floor at the entrance doorway to the Property by a threshold bar.
- The wash hand basin in the shower room has been securely fixed to the wall.
- The Tribunal is satisfied from the evidence provided that there are mains-wired and interlinked smoke detectors in the hallway and the living/sleeping/kitchen area and there is a heat detector in the kitchen area of the Property.

## Reasons for the decision

20. The Landlord has carried out the works required by the Repairing Standard Enforcement Order. Accordingly, the Tribunal is in a position to issue a Certificate of Completion of Works.

21. The decision of the Tribunal is 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.

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.

G Clark

Signed...  
Date... 9 May 2017  
Legal Member/Chair

Macfarlane Electrical Ltd

20A Melboost

Point

Isle of Lewis

Tel 01851 704 474

Mobile 07949924474

Email: malcolm@macfarlaneled.co.uk

Date: 3rd October 2015

to A Mohammed  
46 Morrison Avenue  
Isle Of Lewis

## INVOICE

To replace fuse board and repair fault in ring main

Labour £180

Materials £8.00

Thank you for your business.

Balance Due £188.00

Company registration no 368186 tax ref, 1386617463



# ELECTRICAL INSTALLATION CONDITION REPORT

(REQUIREMENTS FOR ELECTRICAL INSTALLATIONS  
— BS 7671 (IET WIRING REGULATIONS))

SELECT  
MEMBERSHIP  
NUMBER  
421144

EICR 001883

This certificate is not valid if the  
holder is deleted or altered

Copyright © The Electrical Contractors' Association of Scotland

**SECTION A: DETAILS OF THE CLIENT / PERSON ORDERING THE REPORT**  
Name: A. MOHAMMED  
Address: 46 MORRISON AVENUE STEVENAGE

**SECTION B: REASON FOR PRODUCING THIS REPORT**  
Reason: RENEWED FOR 2015  
Date(s) on which inspection and testing was carried out: 12th September 2015

**SECTION C: DETAILS OF THE INSTALLATION WHICH IS THE SUBJECT OF THIS REPORT**  
Occupier: NONE  
Address: 34 D BAYVIEW STEVENAGE HSL 2DX  
Description of premises (Tick as appropriate): Domestic ☒ Commercial ☐ Industrial ☐ Other ☐  
Estimated age of the wiring system: 20 years. Evidence of additions or alterations Yes ☒ No ☐ Not apparent ☐  
If "Yes" estimate age: 12 years. Installation records available? (Regulation 621.1) Yes ☐ No ☒ Date of last inspection: 12/9/15

**SECTION D: EXTENT AND LIMITATIONS OF INSPECTION AND TESTING**  
Extent of the electrical installation covered by this report: FULL INSPECTION AND TEST OFF  
All Power Accessible In Reach  
Agreed limitations including the reasons (Regulation 634.2): None

Agreed with (name):  
Operational limitations including the reasons:  
The inspection and testing detailed in this report and accompanying schedules have been carried out in accordance with BS 7671:2008 (IET Wiring Regulations), as amended to 2015. It should be noted that cables concealed within trunking and conduits, under floors, in roof spaces, and generally within the fabric of the building or underground have not been inspected unless specifically agreed between the client and inspector prior to the inspection. An inspection should be made within an accessible roof space housing other electrical equipment.

**SECTION E: SUMMARY OF THE CONDITION OF THE INSTALLATION**  
General condition of the installation (in terms of electrical safety): Satisfactory Signs of deterioration  
SECRET STATUS Current Revised Due Next CS Recommendations  
Overall assessment of the installation in terms of its suitability for continued use  
SATISFACTORY / UNSATISFACTORY\* (Delete as appropriate)  
\*An unsatisfactory assessment indicates that dangerous (code C1) and/or potentially dangerous (code C2) conditions have been identified.

**SECTION F: RECOMMENDATIONS**  
Where the overall assessment of the suitability of the installation for continued use above is stated as UNSATISFACTORY, I/we recommend that any observations classified as 'Danger present' (code C1) or 'Potentially dangerous' (code C2) are acted upon as a matter of urgency. Investigation without delay is recommended for observations identified as 'Further investigation required' (code F1). Observations classified as 'Improvement recommended' (code C3) should be given due consideration. Subject to the necessary remedial action being taken, I/we recommend that the installation is further inspected and tested by 12/9/15 (date).

**SECTION G: DECLARATION**  
I/We, being the person(s) responsible for the inspection and testing of the electrical installation (as indicated by my/our signatures below), declare that the information in this report, including the observations and the attached schedules, provides an accurate assessment of the condition of the electrical installation taking into account the stated extent and limitations in Section D of this report.

Inspected and tested by:  
Name (Capital): STEVEN CAMPBELL  
Signature: [Signature]  
For on behalf of: J.P. ELECTRICS  
Position: ELECTRICIAN  
Address: 36 LOOSE BARRE  
Date: 12/09/15

Report authorised for issue by:  
Name (Capital): Red Maciver  
Signature: [Signature]  
For on behalf of: Electrical  
Position: Approved Electrician  
Address: 36 Loose Barre  
Date: 12/09/15

**SECTION H: SCHEDULE(S)**  
The attached schedule(s) are part of this document and this report is valid only when they are attached to it.  
2015  
This report and associated schedules are based on the models given in Appendix 8 of BS 7671 - IET Wiring Regulations.  
They were developed by SELECT (the trading style of The Electrical Contractors' Association of Scotland).





CONDITION REPORT INSPECTION SCHEDULE

SECTION I: SUPPLY CHARACTERISTICS AND EARTHING ARRANGEMENTS

Earthing arrangements	Number and Type of Live Conductors	Nature of Supply Parameters	Supply Protective Device Characteristics
TN-C TN-S TN-C-S TT IT	a.c. <input checked="" type="checkbox"/> 1-phase, 2-wire <input checked="" type="checkbox"/> 2-phase, 3-wire <input checked="" type="checkbox"/> 3-phase, 3-wire <input type="checkbox"/> 3-phase, 4-wire Confirmation of supply polarity <input checked="" type="checkbox"/>	Nominal voltage, $U_{0N}$ 243.8 V Nominal Frequency, $f_N$ 50 Hz Prospective fault current, $I_{pf}$ 6.1 kA External loop impedance, $Z_{e0}$ 0.35 $\Omega$ <small>(Note 1) by analysis (2) by supply or by measurement)</small>	BS (EN) 1361 Type: ILB Rated current 1000 A

SECTION J: PARTICULARS OF INSTALLATION REFERRED TO IN THE REPORT

Means of Earthing	Type (e.g. rod(s), tape etc)	Location	Electrode resistance to earth
Distributor's facility Installation earth electrode	N/A N/A	N/A N/A	N/A N/A

Main Protective Conductors

Earthing conductor: material <u>COPPER</u> csa <u>16</u> mm <sup>2</sup>	Continuity/connection verified <input checked="" type="checkbox"/>
Main protective bonding conductors (to extraneous conductive parts): material <u>COPPER</u> csa <u>16</u> mm <sup>2</sup>	Continuity/connection verified <input checked="" type="checkbox"/>
To water installation pipes <input checked="" type="checkbox"/> To gas installation pipes <input type="checkbox"/> To oil installation pipes <input type="checkbox"/> To structural steel <input type="checkbox"/>	
To lightning protection <input type="checkbox"/> To other <input type="checkbox"/> Specify: <u>None</u>	

Main Switch / Switch-Fuse / Circuit-Breaker / RCD

Location <u>MAIN ENTRANCE</u>	Current rating <u>63</u> A	If RCD main switch
Fuse/device rating or setting <u>63</u> A	Rated residual operating current ( $I_{\Delta n}$ ) <u>30</u> mA	
BS (EN) <u>61008</u>	Rated time delay <u>0.04</u> s	
No. of poles <u>2</u>	Measured operating time (at $I_{\Delta n}$ ) <u>19.6</u> ms	
Voltage rating <u>230</u> V		

SECTION K: OBSERVATIONS

Referring to the attached Schedules of Inspection and Test Results, and subject to the limitations specified at Section D, Extent and Limitations of the Inspection and Testing: ☐ No remedial action is required ☒ The following observations are made:

Inspection Schedule Item No. or Test	OBSERVATIONS	Classification Code C1, C2, C3 or FI (see below)
3.3	MR. BOWEN... MAKE AS... BATHROOMS... KITCHEN... WATER PIPES...	C3
4.1.9	NO RCD TEST NOTICE ON BOARD	C3
4.1.11	NO MIXED WIRING NOTICE ON BOARD	C3
4.1.13	NO OTHER WIRING NOTICE NOTED ON BOARD	C3
5.1.3	PROVISIONS OF FIRE BRACKETS	FI
5.1.8	HEATER NOT SUITABLE FOR USE, MISSING COMPONENTS	C3
6.1	NO BONDING RESISTANCE NO BATHROOM	C3
5.1.8	SMOKE ALARM NOT WORKING, CORRECTED	C3
5.1.8	SMOKE ALARM NOT 300mm FROM CEILING	C3
5.1.8	BOULDER PAINT ABOVE KITCHEN WATER HEATER	C3
5.1	IDENTIFICATION OF CONDUCTORS	C3
5.1.8	RECOMMENDATIONS TO CHANGE SOCKET OUTLET	C3
One of the adjacent Codes, as appropriate, has been allocated to each of the observations made above to indicate to the person(s) responsible for the installation the degree of urgency for remedial action.		
C1	Danger present. Risk of injury. Immediate action required.	
C2	Potentially dangerous - urgent remedial action required.	
C3	Improvement recommended.	
FI	Further investigation required without delay.	
<input type="checkbox"/> Additional observations are recorded on the following number of continuation sheets (4)		

ITEM No.	DESCRIPTION	OUTCOMES	Acceptable condition	Unacceptable condition	State C1 or C2	Improvement recommended	State C3	Further investigation	FI	Not verified	N/A	Limitation	Not applicable	OUTCOME
DISTRIBUTORS / SUPPLY INTAKE EQUIPMENT:														
1.0	Condition of service cable													✓
1.1	Condition of service head													✓
1.2	Condition of distributor's earthing arrangement													✓
1.3	Condition of meter table - Distributor/Consumer													✓
1.4	Condition of metering equipment													✓
1.5	Condition of isolator (where present)													N/A
1.6	Condition of isolator (where present)													N/A
2.0	PRESENCE OF ADEQUATE ARRANGEMENTS FOR OTHER SOURCES SUCH AS MICROGENERATORS (551.6, 551.7)													
3.0	EARTHING / BONDING ARRANGEMENTS (411.3, Chapter 54)													
3.1	Presence and condition of distributor's earthing arrangement (542.12.1; 542.12.2)													✓
3.2	Presence and condition of earth electrode connection where applicable (542.12.3)													N/A
3.3	Provision of earthing / bonding locals at all appropriate locations (514.13.1)													C3
3.4	Confirmation of earthing conductor size (542.3; 543.1.1)													✓
3.5	Accessibility and condition of earthing conductor at main earthing terminal (MET) (543.3.2)													✓
3.6	Confirmation of main protective bonding conductor size (544.1)													✓
3.7	Condition and accessibility of main protective bonding conductor connections (543.3.2; 544.1.2)													✓
3.8	Accessibility and condition of other protective bonding connections (543.3.2)													✓
4.0	CONSUMER UNIT(S) / DISTRIBUTION BOARD(S)													
4.1	Adequacy of working space / accessibility to consumer unit / distribution board (132.12; 513.1)													✓
4.2	Security of fixing (134.1.1)													✓
4.3	Condition of enclosure(s) in terms of IP rating etc (416.2)													✓
4.4	Condition of enclosure(s) in terms of fire rating etc (421.1.201; 526.5)													✓
4.5	Enclosure not damaged/deteriorated so as to impair safety (821.2(0))													✓
4.6	Presence of main linked switch (as required by 537.1.4)													✓
4.7	Operation of main switch (functional check) (612.13.2)													✓
4.8	Manual operation of circuit-breakers and RCDs to prove disconnection (512.13.2)													✓
4.9	Correct identification of circuit details and protective devices (514.8.1; 514.9.1)													✓
4.10	Presence of RCD quantity test notice at or near consumer unit / distribution board (514.12.2)													C3
4.11	Presence of non-standard (mixed) cable colour warning notice at or near consumer unit / distribution board (514.14)													C3
4.12	Presence of alternative supply warning notice at or near consumer unit / distribution board (514.15)													N/A
4.13	Presence of other required labelling (please specify) (Section 514)													C3
4.14	Examination of protective device(s) and base(s) contact type and rating (no signs of unacceptable thermal damage, arcing or overheating) (421.1.3)													✓
4.15	Single-pole switching or protective devices in line conductors only (132.14.1; 530.3.2)													✓
4.16	Protection against mechanical damage where cables enter consumer unit / distribution board (522.1.1; 522.8.11)													✓
4.17	Protection against electromagnetic effects where cables enter consumer unit / distribution board / enclosures (521.5.1)													✓
4.18	RCD(s) provided for fault protection - includes RCDs (411.4.9; 411.5.2; 531.2)													✓
4.19	RCD(s) provided for additional protection - includes RCBOs (411.3.3; 415.1)													✓
4.20	Confirmation of indication that SPD is functional (534.2.8)													N/A
4.21	Confirmation that ALL conductor connections, including connections to busbars, are correctly located in terminals and are tight and secure (526.1)													✓
4.22	Adequate arrangements where a generating set operates as a switched alternative to the public supply (551.6)													N/A
4.23	Adequate arrangements where a generating set operates in parallel with the public supply (551.7)													N/A



*This is the Schedule of photographs  
referred to in the Jargon Statement of  
Decision dated 9/5/2017*



**Schedule of photographs taken during the inspection of 34D Bayhead Street,  
Stormoway, HS1 2DX on 28 October 2016**



**Entrance elevation**



**Schedule of photographs taken during the inspection of 34D Bayhead Street,  
Stornoway, HS1 2DX on 28 October 2016**



Front door threshold



Front door



**Schedule of photographs taken during the inspection of 34D Bayhead Street,  
Stornoway, HS1 2DX on 28 October 2016**



Front door



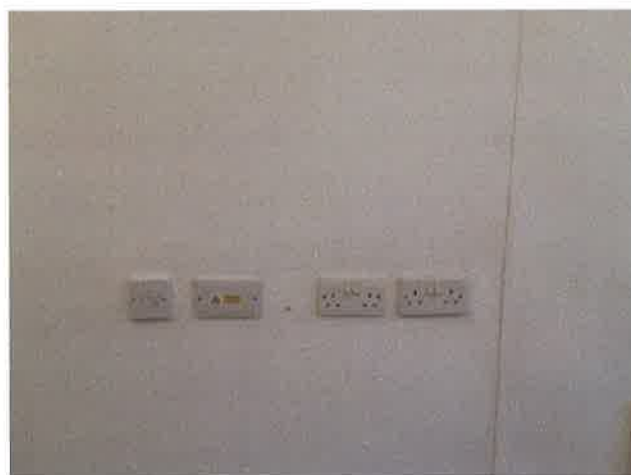
Living room/bedroom/kitchen





**Schedule of photographs taken during the inspection of 34D Bayhead Street,  
Stornoway, HS1 2DX on 28 October 2016**

Living room/bedroom/kitchen





**Schedule of photographs taken during the inspection of 34D Bayhead Street,  
Stornoway, HS1 2DX on 28 October 2016**

Living room/bedroom/kitchen





**Schedule of photographs taken during the inspection of 34D Bayhead Street,  
Stornoway, HS1 2DX on 28 October 2016**



Living room/kitchen/bedroom



Bathroom





**Schedule of photographs taken during the inspection of 34D Bayhead Street,  
Stornoway, HS1 2DX on 28 October 2016**



Hallway flooring



**Schedule of photographs taken during the inspection of 34D Bayhead Street,  
Stornoway, HS1 2DX on 28 October 2016**



Hallway



This is the letter of 10 November 2016 with attached  
referred to in the letter of 17/5/17  
dated 17/5/17  
JMM

# MACDONALD MACIVER & CO. LTD

## Solicitors & Notaries

Directors: Angus W. MacDonald  
Ian Maciver

Our Ref:

Awmcd/JMM

Your Ref:

Private Renting Housing Panel  
Europa Buildings  
450 Argyle Street  
GLASGOW  
G2 8LH

10 November 2016

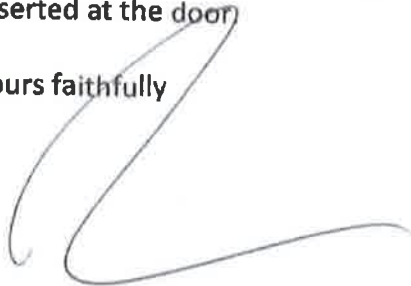
14 NOV 2016

Dear Sirs

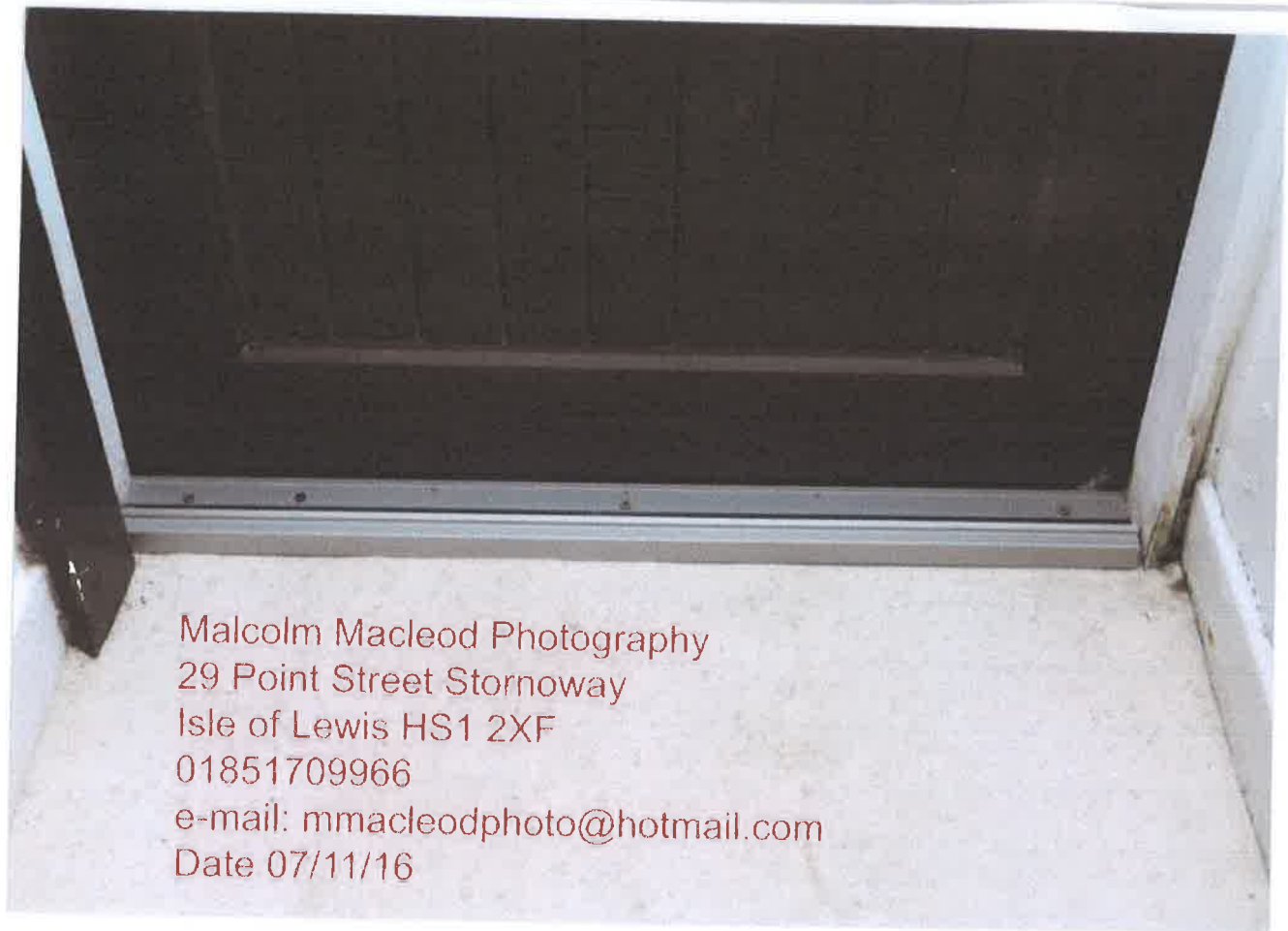
**ASHER MOHAMMED**  
**SUBS 34D BAYHEAD STREET, STORNOWAY**

Attached herewith are photographs showing the appropriate plate having been inserted at the door

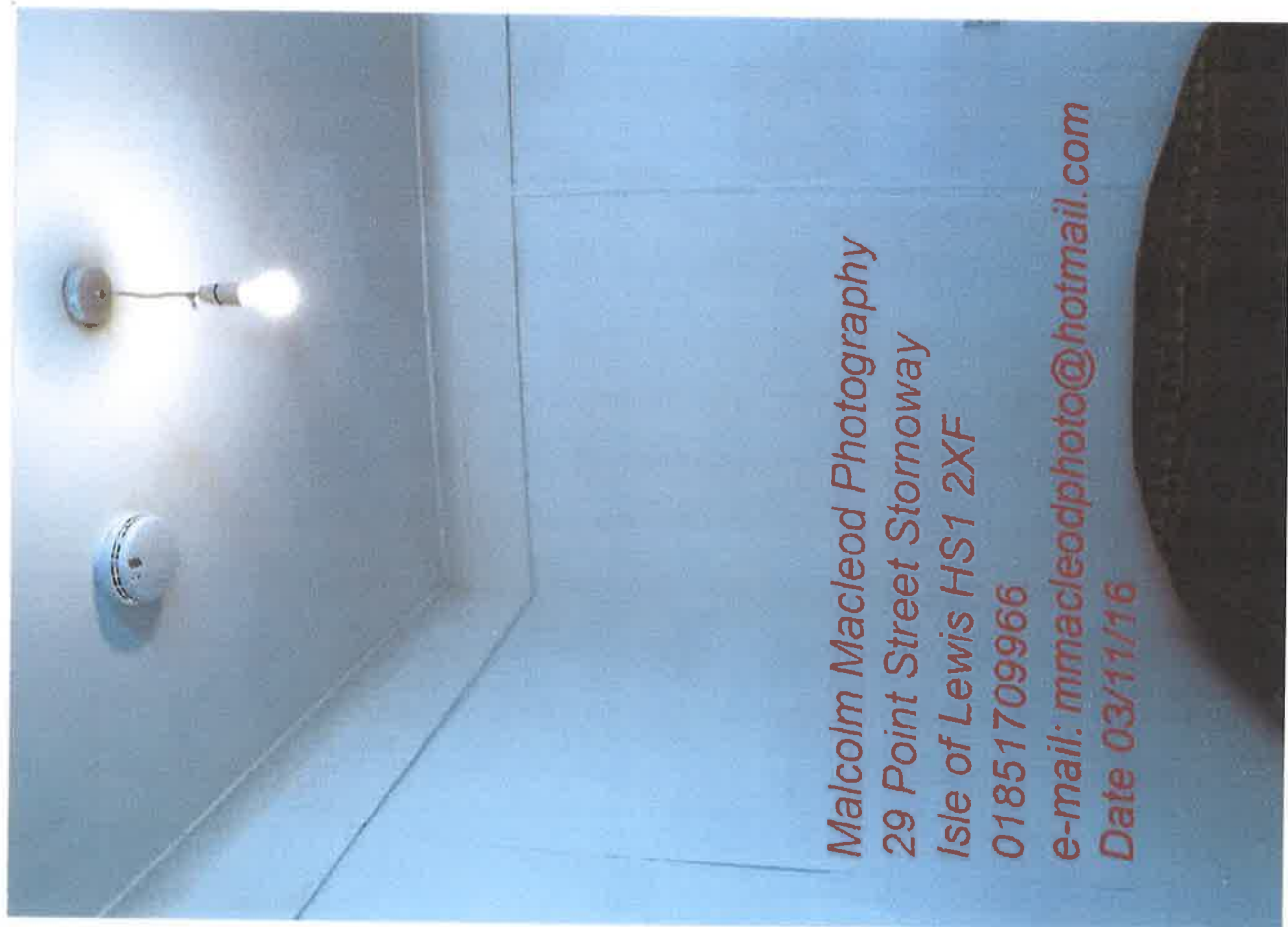
Yours faithfully



Angus W Macdonald  
Managing Director  
Macdonald Maciver & Co Ltd



Malcolm Macleod Photography  
29 Point Street Stornoway  
Isle of Lewis HS1 2XF  
01851709966  
e-mail: mmacleodphoto@hotmail.com  
Date 07/11/16



Malcolm Macleod Photography  
29 Point Street Stornoway  
Isle of Lewis HS1 2XF  
01851709966  
e-mail: mmacleodphoto@hotmail.com  
Date 03/11/16



This is the letter of 4 Nov 2016 with  
attached report + the copy of the  
of the report dated 9/5/17  
JMM

# MACDONALD MACIVER & CO. LTD

## Solicitors & Notaries

Directors: Angus W. MacDonald  
Ian Maciver

Our Ref:  
Awmcd/JMM

Your Ref:

Private Renting Housing Panel  
Europa Buildings  
450 Argyle Street  
GLASGOW  
G2 8LH

4 November 2016

09 NOV 2016

Dear Sirs

**ASHER MOHAMMED**  
**SUBS 34D BAYHEAD STREET, STORNOWAY**

We refer to the recent correspondence in the above and attach herewith documentation received from our client the terms of which are self explanatory. Photographs in relation to the outstanding matters will be forwarded to you shortly.

Yours faithfully

  
Angus W Macdonald  
Managing Director  
Macdonald Maciver & Co Ltd



# Medlock

Electrical Distributors

**Safet**  
**Unlimited**

35

Cash Sale- STORNOWAY

Delivery Instructions

Branches Over

Accounts:  
109/115 Eleanor Cross Road,  
Waltham Cross,  
Hertfordshire EN8 7NT

Document Type  
SALES INVOICE

Web site: www.medlocks.c

Tel: 01851 701746

Date	Account Number	Reference	Page	Document
31.10.16	SY120001	340 BAYHEAD	1	SY041721

Qty	Unit	Catalogue Number	Description	Value
1	EACH	E1146RC AICO	SMOKE ALARM OPTICAL & G04F02	20.50
			Price 20.50 Per 1	
1	EACH	E1144RC AICO	HEAT ALARM & HUSH WIT G08E02	25.00
			Price 25.00 Per 1	

Goods Subject	0.00
Goods Nett	45.50
VAT	9.10
Invoice Total	54.60

Pointing the way forward

id 190 Vdu

**ANew**  
ASSOCIATED NATIONAL  
ELECTRICAL WHOLESALERS

**EDA ELECTRICAL**  
**DISTRIBUTOR**  
**ASSOCIATION**

# LECT

## ELECTRICAL INSTALLATION CONDITION REPORT

(REQUIREMENTS FOR ELECTRICAL INSTALLATIONS  
— BS 7671 (IET WIRING REGULATIONS))

SELECT  
MEMBERSHIP  
NUMBER

42144

This certificate is not valid if the  
number is defaced or altered

EICR 001883

Copyright © The Electrical Contractors' Association of Scotland

### SECTION A. DETAILS OF THE CLIENT / PERSON ORDERING THE REPORT

Name: A. MOHAMMED

Address: 46 MORRISON AVENUE STERNDAL

### SECTION B. REASON FOR PRODUCING THIS REPORT

Reason: REQUIREMENT FOR LANDLORD

Date(s) on which inspection and testing was carried out: 12<sup>TH</sup> SEPTEMBER 2016

### SECTION C. DETAILS OF THE INSTALLATION WHICH IS THE SUBJECT OF THIS REPORT

Occupier: NONE

Address: 34 D BAYHEAD STERNDAL HSI 2DX

Description of premises (Tick as appropriate): Domestic ☒ Commercial ☐ Industrial ☐ Other ☐

Estimated age of the wiring system: 20 years. Evidence of additions or alterations Yes ☒ No ☐ Not apparent ☐

If "Yes" estimate age: 20 years. Installation records available? (Regulation 621.1) Yes ☐ No ☒ Date of last inspection:

### SECTION D. EXTENT AND LIMITATIONS OF INSPECTION AND TESTING

Extent of the electrical installation covered by this report: FULL INSPECTION AND TEST OFF ALL POWER + LIGHTING IN PREMISES

Agreed limitations including the reasons (Regulation 634.2): NONE

Agreed with (name):

Operational limitations including the reasons:

The inspection and testing detailed in this report and accompanying schedules have been carried out in accordance with BS 7671:2008 (IET Wiring Regulations), as amended to 2015. It should be noted that cables concealed within trunking and conduits, under floors, in roof spaces, and generally within the fabric of the building or underground have not been inspected unless specifically agreed between the client and inspector prior to the inspection. An inspection should be made within an accessible roof space housing other electrical equipment.

### SECTION E. SUMMARY OF THE CONDITION OF THE INSTALLATION

General condition of the installation (in terms of electrical safety): SHOWING SIGNS OF DEGRADATION IN SOCKET OUTLETS, FURTHER REMEDIAL WORK DUE TO C3 RECOMMENDATIONS

Overall assessment of the installation in terms of its suitability for continued use

SATISFACTORY / UNSATISFACTORY\* (Delete as appropriate)

\*An unsatisfactory assessment indicates that dangerous (code C1) and/or potentially dangerous (code C2) conditions have been identified.

### SECTION F. RECOMMENDATIONS

Where the overall assessment of the suitability of the installation for continued use above is stated as UNSATISFACTORY, I/we recommend that any observations classified as 'Danger present' (code C1) or 'Potentially dangerous' (code C2) are acted upon as a matter of urgency. Investigation without delay is recommended for observations identified as 'Further investigation required' (code F1). Observations classified as 'Improvement recommended' (code C3) should be given due consideration.

Subject to the necessary remedial action being taken, I/we recommend that the installation is further inspected and tested by 12/9/21 (date)

### SECTION G. DECLARATION

I/We, being the person(s) responsible for the inspection and testing of the electrical installation (as indicated by my/our signatures below), particulars of which are described above, having exercised reasonable skill and care when carrying out the inspection and testing, hereby declare that the information in this report, including the observations and the attached schedules, provides an accurate assessment of the condition of the electrical installation taking into account the stated extent and limitations in Section D of this report.

#### Inspected and tested by:

Name (Capitals) STEVEN CAMPBELL

Signature [Signature]

For/on behalf of IP ELECTRICS

Position ELECTRICIAN

Address 36 LOER BAILE

Date 12/09/16

#### Report authorised for issue by:

Name (Capitals) Paul Mair

Signature [Signature]

For/on behalf of IP ELECTRICS

Position Approved Electrician

Address 36 Loer Baile

Date 13/9/2016

### SECTION H. SCHEDULE(S)

The attached schedule(s) are part of this document and this report is valid only when they are attached to it.

This report and associated schedules are based on the models given in Appendix B of BS 7671 - IET Wiring Regulations. They were developed by SELECT (the trading style of The Electrical Contractors' Association of Scotland)



# CERTIFICATE OF DESIGN, INSTALLATION AND COMMISSIONING OF A FIRE DETECTION AND ALARM SYSTEM OF GRADE B, C, D, E OR F IN A DWELLING

## DETAILS OF THE CLIENT

Client: Mr A Mohammed  
Address: 46 Morrison Ave, Stormway  
Isle of Lewis

Issued in accordance with BS 5839-6: 2004.

## DETAILS OF THE FIRE DETECTION AND ALARM SYSTEM

Address: 3rd Bayhead, Stormway  
Isle of Lewis

The system is:  
New:

Extent of the fire detection and alarm system covered by this certificate:

As Per Client Instruction to Cover Kitchen/Living Area

Modification: /

## DESCRIPTION OF SYSTEM GRADE AND SYSTEM CATEGORY

System grade: B C D ☒ E F Tick boxes as appropriate

System category: LD1 LD2 LD3 ☒ PD1 PD2

## COMMISSIONING

See Note 1

A tick in the box indicates the inspection or test has been performed and the results are satisfactory. N/A indicates an inspection or test is Not Appropriate

Test buttons checked ☒  
All alarm warning devices operate ☒  
Silencing system checked ☒  
Simulated smoke or aerosol test ☒  
Heat test ☒  
Bedroom sound level (Clause 13.2) ☒

Dedicated circuit(s) provided ☒  
Protective device labelled ☒  
Audible and visual indication of mains failure ☒

Sound level test instrument used

See Note 2

Model and serial no.:

## USER INSTRUCTIONS

Tick boxes to indicate that the written information has been issued to the user

I/We the undersigned declare that the occupier\* of the dwelling (or owner in the case of a house in multiple occupancy) has been provided with written information about essential aspects of the operation and maintenance of the system, as follows:

Operation of the system ☒

Action to be taken in the event of a fire alarm signal ☒

Avoidance of false alarms and action in the event of a false alarm ☒

Warning that apparent false alarm from carbon monoxide detector may not be false alarm ☒

Routine testing of the system ☒

Servicing and maintenance of the system (including intervals at which any batteries should be replaced) ☒

The need to keep clear space around all detectors and manual call points ☒

Special precautions relevant to any lithium batteries used in the system ☒

Checking the system on reoccupation of the dwelling after a vacation etc. ☒

The need to avoid contamination of detectors by paint ☒

As-fitted drawing ☒

\* In the case of a newly-built property, and where the future occupier is unknown, the User Instructions should be issued to the builder for onward transmission to the purchaser, together with the related electrical safety certificate.

## CERTIFICATION OF DESIGN, INSTALLATION AND COMMISSIONING

I/We, being the person(s) responsible (as indicated by my/our signature(s) below), for the design, installation, and commissioning of the fire alarm system, particulars of which are set out above, CERTIFY that the said work for which I/we have been responsible complies to the best of my/our knowledge and belief with the recommendations of BS 5839: Part 6 for the system described above, except for the variations, if any, stated below:

Variations (if any):

a physical smoke test has been carried out and having been satisfactory, the system has been commissioned in accordance with the instructions supplied by the manufacturer of the alarm system (ALICO)

The extent of liability of the signatory is limited to the work described above as the subject of this certificate.

For the DESIGN, INSTALLATION AND COMMISSIONING of the system:

Signature:

Name (CAPITALS)

Paul Maciver

Date: 31/10/2016

This certificate has been reviewed by:

Signature:

Name (CAPITALS)

Paul Maciver

Date: 31/10/2016

## DETAILS OF THE CONTRACTOR

Trading Title: IP ELECTRICS

Address: 36 Cowes Bay, Isle of Lewis

Postcode: HS2 00B

Note 1. The electrical safety aspects of the fire detection and alarm system must also be certified in accordance with BS 7671: 'Requirements for Electrical Installations' by issuing an electrical safety certificate of a form which meets the requirements of BS 7671, such as a 'Domestic Electrical Installation Certificate' or, where appropriate, a 'Minor Electrical Installation Works Certificate'.

Note 2. An instrument complying with BS EN 61672, Class 2, with slow response and A weighting (see Clause 13.2), is suitable for measuring the sound level.

This form is based on the model in Annex F of BS 5839: Part 6: 2004  
© Copyright The Electrical Safety Council (July 2011)

Please see the 'Notes for Recipient' on the reverse of this page.



**MINOR ELECTRICAL INSTALLATION WORKS CERTIFICATE (4 CIRCUIT**  
(REQUIREMENTS FOR ELECTRICAL INSTALLATIONS — BS 7671 (IET WIRING REGULATIONS))

**MWC 00141**

**DESCRIPTION OF THE MINOR WORKS**  
Location/Address: 34D Bingham, Stomoway, Isle of Lewis  
Description of the minor works: extend supply from system circuit to Accommodation No 2015  
Details of departures, if any, from BS 7671: 2008 as amended (Regulations 120.3 and 133.5): —  
Details of permitted exceptions (Regulation 411.3.3): —  
Date minor works completed: 31/10/2016

This certificate is not valid if the number is defaced or altered

**INSTALLATION DETAILS**  
System earthing arrangement: TN-C-S ☒ TT ☐ Method of fault protection: Automatic disconnection of supply ☒ Other ☐  
Comments on existing installation, including adequacy of earthing and bonding arrangements (see Regulation 132.16): See EIR 001883 as per Certificate No 2008

CIRCUIT DETAILS										TEST RESULTS									
DB Ref. and Circuit No.	Circuit Description	No. of Points	Type (see code below)	Wiring Details		Overcurrent Device Breaking Capacity .....kA	Continuity				Insulation Resistance (Lowest values measured)	Polarity	Z <sub>s</sub>	RCD Protection			Functional testing	Remarks	
				Ref. Method	csa		R1+R2 or R2	Ring Final Circuit						I <sub>Δn</sub>	Time (ms)				
								mm <sup>2</sup>	Ω	L-L						L-N			CPC- CPC
4	Light / Smoke Alarm	7	A	100	1.5	6	0.22	Ω	500	500	500	✓	0.30	70	18.5	12.9	✓	—	

TEST INSTRUMENTS USED									
Code for Wiring Type	A	B	C	D	E	F	G	H	O (Other - please specify)
PVC/PVC									
PVC in Metal Conduit									
PVC in Plastic Conduit									
PVC in Metal Trunking									
PVC in Plastic Trunking									
XLPE/SWA									
Mineral Insulated									

**DECLARATION**  
I certify that the said works do not impair the safety of the existing installation, that the said works have been designed, constructed, inspected and tested in accordance with BS 7671: 2008 (IET Wiring Regulations), amended to 2015 (date) and that the said works, to the best of my knowledge and belief, at the time of my inspection, comply with BS 7671 except as detailed above.

Name (CAPITALS): Paul Maciver  
Position: Approved Electrician  
Signature: [Signature]  
For and on behalf of: J.P. ELECTRICS  
Address: 36 Lower Brough, Isle of Lewis  
Date: 31/10/2016  
2015