

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Decision: Housing (Scotland) Act 2006 (“the 2006 Act”), Section 60

Chamber Ref: FTS/HPC/RT/19/1624

Title Number: STG34772

**136 Glasgow Road, Camelon, Falkirk FK1 4HR
 (“The Property”)**

The Parties:-

**Falkirk Council, Private Sector Team, Suite 1, The Forum, Callendar Business Park, Falkirk FK1 1XR
 (“the Third Party Applicant”)**

**Mr Brian Harley, 136 Glasgow Road, Camelon, Falkirk FK1 4HR
 (“the Tenant”)**

**Mr Martin Higgins, 30 Overton Crescent, East Calder EH53 0RS
 (“the Landlord”)**

Tribunal Members

**Graham Harding (Legal Member)
 Geraldine Wooley (Ordinary Member)**

DECISION

1. The First-tier Tribunal for Scotland (Housing and Property Chamber) (‘the Tribunal’), having taken account of the findings of the re-inspection on 31 October 2019 and the documentation received from the Landlord on 28 October 2019 and 14 January 2020 together with the reasons for the Decision of the Tribunal and the Repairing Standard Enforcement Order served on the Landlord and dated 26 August 2019 determined that the Landlord has complied with the said Repairing Standard Enforcement Order.
2. The Tribunal issued a Certificate of Completion in terms of Section 60 of the Housing (Scotland) Act 2006.
3. The Decision of the Tribunal was unanimous.

Findings in Fact

4. The Landlord has provided a current Electrical Installation Condition Report by a qualified electrical contractor registered with SELECT or NICEIC or NAPIT dated after the date of the Repairing Standards Enforcement Order.
5. The Landlord has replaced the mortice lock on the front door of the property with a new mortice lock.
6. The house meets the repairing standard as specified in Section 13 of the 2006 Act.

Reasons for Decision

7. Reference is made to the full terms of (i) the Decision of the Tribunal and (ii) the Repairing Standard Enforcement Order both served on the Landlord and dated 9 October 2018.
8. Following the re-inspection of the property on 31 October 2019 by the Ordinary Member of the Tribunal and the submission by the Landlord of an Electrical Installation Condition Report with satisfactory evidence that the electrician who prepared it was qualified to do so it appeared that all of the works specified in the RSEO have been completed. The Tribunal therefore decided to issue a Certificate of Completion in terms of Section 60 of the 2006 Act on that basis.

A landlord, tenant or third party applicant aggrieved by the decision of the tribunal may seek permission to appeal from the First-tier Tribunal on a point of law only 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 Harding

Graham Harding
Legal Member and Chairperson

Date 7 February 2020