

Housing and Property Chamber First-tier Tribunal for Scotland



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

STATEMENT OF DECISION in respect of an application under Section 24 (1) of the Housing (Scotland) Act 2006 ("the Act") and issued under the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2016

Re Property at Flat 0/1, 323 Archerhill Road, Glasgow, G13 4PL ("The Property")

Land Register title number: GLA187461

The Parties:-

Miss Melissa Duncan, formerly residing at Flat 0/1, 323 Archerhill Road, Glasgow, G13 4PL ("**the former tenant**")

And

Mr Safdar Ali, residing formerly at Flat 3/1, 40 Coburg Street, Glasgow, G5 9JF and now residing at Flat 0/1, 323 Archerhill Road, Glasgow, G13 4PL ("**the landlord**")

The Tribunal comprised:-

Mr James Bauld - Legal member

Mr Mike Links – ordinary member

Background and issues arising

1. On 11 December 2015 a repairing standard enforcement order (RSEO) was issued in respect of the property.
2. On 13th May 2016 a determination was made that the landlord had failed to undertake the works required and a rent relief order (RRO) was made.
3. On 6 September 2018 the tribunal decided after a further hearing that they were not satisfied that all of the works required in terms of the RSEO had been

completed and refused an application by the landlord to certify that the works had been completed and accordingly the orders remained in place.

4. On 1 March 2021 the landlord contacted the tribunal again indicating that all of the requirements in the RSEO had now been fulfilled and requesting that the tribunal confirm that the relevant works have been completed and issue the appropriate orders to that effect.
5. The tribunal inspected the property on 23 July 2021 and a report of that inspection is attached to this decision. That report indicated that certain works were still outstanding and the applicant was asked to produce certain documentation to the tribunal
6. By emails dated 25 July 2021 and 16 August 2021 the landlord forwarded to the tribunal certain documents. The documents included a report and invoice relating to works carried out within the property by a company called Central Project Management Ltd , a valid gas safety certificate and a valid electrical installation condition report
7. Subsequent to the receipt of those documents the tribunal fixed a hearing which was set to take place on 22 October 2021

The hearing

8. The Hearing took place on 22 October 2021 by telephone case conference and the landlord attended same.
9. The tribunal confirmed to the landlord that it was satisfied that the gas safety certificate which he had produced satisfied the relevant terms of the RSEO. The tribunal confirmed to the landlord that the EICR which he had produced also satisfied the relevant terms of the RSEO.
10. The only other outstanding matter what's the requirement in the RSEO to obtain a timber specialist report on the extent of rot and woodworm and to carry out the works required in terms of any such report. . The tribunal considered the evidence produced by the landlord which showed that various works had been carried out to the property by a company called Central Project Management Ltd. Their report indicated that in February 2018 various works had been carried out in the property to replace floorboards
11. The tribunal considered the evidence contained in this report together with the evidence obtained at their own inspection on 23 July. The tribunal was satisfied that works had been undertaken to repair the flooring to the property. The tribunal noted the absence of the timber specialist report required in terms of the RSEO but the tribunal was satisfied that the position was now that such a report was no longer required.

12. The tribunal have determined that all works required in terms of the RSEO have now been completed and the tribunal unanimously agreed that a certificate of completion in terms of the RSEO should now be issued

.....**J Bauld**.....

James Bauld, Chairperson

.....*9 December 2021*.....

Date

.....*S. Callaghan*.....
Witness Signature

.....*9 December 2021*.....

Date

.....*SIMONE CALLAGHAN*.....
Witness Name

.....*TEYOWS*.....
.....*7 WEST GEORGE ST, GLASGOW*.....
Witness Address *C21BA*

.....*GLASGOW*.....
Place of Signing