

# Housing and Property Chamber First-tier Tribunal for Scotland

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## **The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”)**

Statement of decision issued under Section 60 of the Housing (Scotland) Act 2006 (“the Act”) in respect of an application under Section 22(1) of the Act

Chamber Ref: PRHP/RP/16/0050

### **Flat 3/1, 55 Broomlands Street, Paisley, PA1 2 NQ (“the property”)**

Parties:

Miss Liene Visokiha, Flat 3/1, 55 Broomlands Street, Paisley, PA1 2 NQ (“**the tenant**”)

Robert and Joy Saunderson, c/o Castle Residential Scotland Limited, 63 Causeyside Street, Paisley, PA1 1YT (“**the landlord**”)

Title Number: REN 1591

Tribunal members:

Simone Sweeney (legal member) Andrew Taylor (ordinary member)

### **Decision**

The Tribunal determines that the landlord has complied with the Repairing Standard Enforcement Order (“RSEO”) as varied dated 25<sup>th</sup> May 2018 and certifies the work as complete in terms of section 60 (5) of the Act. The decision of the Tribunal is unanimous.

### **Background**

1. Reference is made to previous procedure, to the RSEO as varied dated, 25<sup>th</sup> May 2018 and to the terms of the Tribunal’s various statements of reasons varying the terms of the RSEO.
2. The RSEO required that the landlord complete the following works to the property:
  - (i) *To carry out such repairs or replacements as are required to ensure that the roof of the house is wind and watertight;*

- (ii) *To carry out such repairs or replacements to eradicate all staining and water damage and mould growth on all affected walls and to the ceiling of the bedroom;*
- (iii) *To carry out all ancillary works necessitated by the above works and make good all decoration.*

### **Re-inspection of property**

3. An inspection of the property took place on Thursday 11<sup>th</sup> November 2021 at 10.30am. A representative for the landlord provided the Tribunal with access to the property but remained outside the building during inspection by the Tribunal. The property remains unoccupied, the tenant having vacated the property some years ago. Photographs were taken of the interior and exterior of the property by the ordinary member. The photographs are contained within a report prepared by the ordinary member dated 14<sup>th</sup> November 2021, the terms of which are incorporated herein, *brevitatis causa*. The report is attached to this decision.

### **Reasons for decision**

4. On inspection, the Tribunal was satisfied that the works required by the RSEO had been completed and that the landlord had complied with all terms of the RSEO. Accordingly the Tribunal determines that a certificate of completion be issued in terms of section 60 (5) (b) of the Act.

### **Appeals**

5. 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.

S Sweeney

..... Legal member, 17<sup>th</sup> December 2021



## Re-Inspection Report



**Property** – 55 Broomlands St, Flat 3/1, Paisley, PA1 2NQ

**Reference**- PRHP/RP/16/0050

**Tribunal** – Simone Sweeney, Chair & Andrew Taylor, Surveyor

**Previous Inspections**– Tribunal – 22<sup>nd</sup> February 2016

**Re-inspection** – Tribunal -10.30am, 11 November 2021

**Weather**– Bright and dry

**Also In Attendance**– Mr Colin Mathieson, Landlord’s Representative

**Purpose of Re-inspection** - To establish if the work required under the Repairing Standard Enforcement Order had been completed.

**RSEO**– In terms of the RSEO issued on 29<sup>th</sup> April 2016 the Landlord was required to carry out such work as was necessary to ensure that the house meets the repairing standard and in particular the following specific areas: -

1. To carry out such repairs or replacements as are required to ensure that the roof of the house is wind and watertight;

2. To carry out such repairs or replacements to eradicate all staining and water damage on all affected walls and to the ceiling of the bedroom;
3. To carry out all ancillary works necessitated by the above works and to make good all decoration.

#### **Works In RSEO Carried Out**

1. The roof of the property has been extensively refurbished;
2. All water staining and damage to walls and ceiling in the bedroom has been addressed;
3. All ancillary works and decoration have been completed.

#### **RSEO Works Outstanding**

Nil

## Photographs



1. Refurbished roof



2. Bedroom walls and ceiling



### 3. Bedroom walls and ceiling

#### **Comments**

This Report will be referred to the Tribunal of the Housing and Property Chamber, First-tier Tribunal For Scotland for their consideration and further action.

**Andrew Taylor MRICS**

**Surveyor Member, Housing and Property Chamber, First-tier Tribunal For Scotland**

**13th November 2021**