

Housing and Property Chamber

First-tier Tribunal for Scotland



Statement of Reasons in relation to Certificate of Completion of works under section 60 of the Housing (Scotland) Act 2006 ("the Act"); issued under paragraph 6 of Schedule 2 of the Act

Chamber Ref: prhp/rp/14/0204

The Property: House, 3 Speckled Wood Court, Dundee DD4 0LY, Title Number ANG72553 ("the property")

The Parties:-

Miss Gillian Hoskins, residing at the Property, per Gael Cameron, Dundee North Law Centre, 101 Whitfield Drive, Dundee DD4 0DX ("the tenant")

(Note: the tenant vacated the property following the inspection)

and

Ms Andrea Dempster, per Lindsays, Caledonian Exchange, 19 A Canning Street, Edinburgh EH3 8HE, ("the former landlord")

(Note: the landlord sold the property to the Registered Proprietor on 25 November 2016 and the title thereto was registered on 20 January 2017)

and

Mr Stephen Ian Greig, residing sometime at 1 Balgove Road, Gauldry DD6 8SH ("the registered proprietor").

The Tribunal:

David M Preston (Legal Member); Angus Anderson, Surveyor (Ordinary Member); and John Blackwood (Ordinary Member)

Reasons:

1. On 1 February 2018, the Ordinary Member of the tribunal, who is a qualified surveyor, carried out a re-inspection of the property for the purpose of establishing if the work required under the Repairing Standard Enforcement Order ("the RSEO") dated 26 November 2014 had been satisfactorily completed.
2. Following on the re-inspection the Ordinary Member prepared a report dated 4 February 2018, which is attached hereto as a Schedule. The report noted that the work required had been completed and that there was no outstanding requirement.

3. Accordingly the tribunal unanimously determined that the landlord had complied with the RSEO and determined to grant a Certificate of Completion to the effect of discharging same.

In terms of section 46 of the Tribunals (Scotland) Act, 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.

David Preston

4 April 2018

This is the Re-inspection Report referred to in the forgoing Statement of Reasons.



David M Preston
Legal Member

Housing and Property Chamber First-tier Tribunal for Scotland



Housing (Scotland) Act 2006: Re-inspection Report

Property: 3 Speckled Wood Court, Dunbar Park, Dundee DD4 0LY

Chamber Reference : PRHP/RP/14/0204

Re-inspection Date: 01/02/2018 - 11.30am

Weather conditions: Cold, but dry and sunny, with mainly damp conditions over the preceding seven days.

In attendance: Ms Mhairi Greig, representing Mr Stephen Greig, new owner.

Tribunal Member: Angus Anderson



Front Elevation.

Repairing Standard Enforcement Order (RSEO)

Works required by the RSEO:

1. To replace the extractor fans in the kitchen and bathroom.
2. To repair or replace the windows throughout to ensure that they are fully functional by opening, closing and locking.
3. To fit adequate draft exclusion measures to doors and windows throughout.
4. To install adequate trickle vents in the windows throughout.
5. To install an adequate heating system throughout.
6. To obtain and lodge with the Private Rented Housing Panel a Periodic Inspection Report to certify that the electrical wiring and systems throughout are satisfactory.

Works in the RSEO undertaken:

1. The extractor fan in the kitchen has been re-instated and was found to be in working order. The fan in the bathroom has been replaced and was found to be in working order.
2. All of the windows throughout the flat have been replaced and were found to be fully functional in terms of opening, closing and locking.
3. The replacement windows were found to have adequate draft exclusion measures. The front door (the flat has a single entrance door) has also been replaced and had adequate draft exclusion measures.
4. The replacement windows were found to have adequate trickle vents.
5. New electric heaters have been installed in the lounge, bedroom, hall, kitchen and bathroom.
6. An Electrical Report prepared by and dated 23/10/2017 was exhibited to me at the re-inspection. Section E of the report describes the general condition of the installation as "Good" and Section K Observations, did not have any C1 (dangerous) or C2 (potentially dangerous) recommendations or FI (further investigations) required. The consumer unit has been replaced.

Observations/comment:

The property appeared to be unoccupied. In addition to the works required by the RSEO, the new owner has replaced the kitchen and bathroom fittings, addressed a leak entering the kitchen from the flat above and carried out redecoration works. It was noted that the existing smoke alarm system (hard wired smoke alarm in hall) does not meet the Repairing Standard applicable in the event that the property is again offered for let. It is recommended that reference should be made to the current Scottish Government Guidance on Satisfactory Provision for: Detecting and Warning of fires; and Carbon Monoxide Alarms in Private Rented Housing, both of which are available on the HPC website.

This report will be distributed to the parties and their representatives for their comment. The report and comments received will be referred to the Tribunal for consideration and further action.

Photographs were taken on the day of inspection and are attached.

Angus Anderson, MRICS; Date of report: 04/02/2018.

Housing and Property Chamber First-tier Tribunal for Scotland



Housing (Scotland) Act 2006: Re-Inspection

Schedule of Photographs

3 Speckled Wood Court, Dunbar Park, Dundee DD1 0LY

Chamber Reference : PRHP/RP/14/0204

Inspection Date: 01/02/2017



Photograph 1 Front Elevation - Front windows and door replaced.



Photograph 2 Lounge - Window replaced.



Photograph 3 Lounge - New heater.



Photograph 4 Kitchen - New fittings. Extractor fan and heater re-instated.



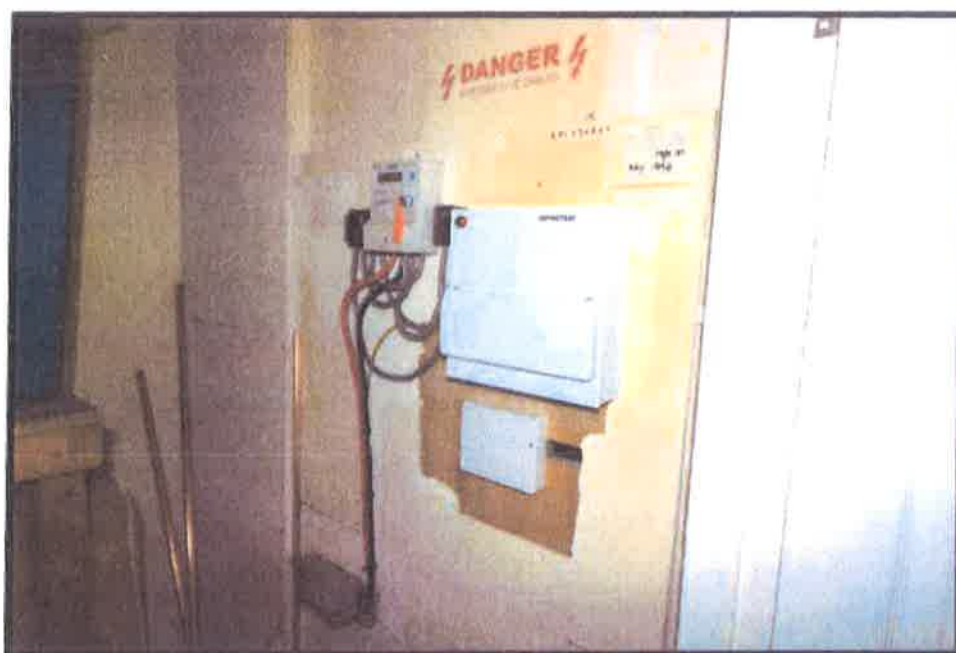
Photograph 5 Bathroom - new fittings.



Photograph 6 Bathroom - new extractor fan and heater.



Photograph 7 Bedroom - New heater and window.



Photograph 8 Electrical switchgear - new consumer unit.



Photograph 9 Entrance hall - New front door and heater.