

Housing and Property Chamber First-tier Tribunal for Scotland



STATEMENT OF DECISION of the First-tier tribunal for Scotland (Housing and Property Chamber) under the Housing (Scotland) Act 2006

Chamber Ref: Reference number: FTS/HPC/RP/21/1622

Property: 212 Main Street, Lennoxton, Glasgow, G66 7ES ("The property")

Title No: STG73435

Parties:

MacLean Davidson, residing at 212 Main Street, Lennoxton, Glasgow, G66 7ES ("the Applicant")

Bridgeport investments Limited, a company incorporated under the Companies Acts and having their registered office at Unit C New Carvel Buildings Warstock Road, Kings Heath, Birmingham, West Midlands, England, B14 4RT ("the Respondent")

Tribunal Members:

Paul Doyle (Legal Member)

Nick Allan (Ordinary Member)

Unanimous Decision of the Tribunal

The First-tier tribunal for Scotland (Housing and Property Chamber) ("the tribunal") certifies that the work required by the Repairing Standard Enforcement Order relative to the Property made on 23 November 2021 has been completed. Accordingly, the said Repairing Standard Enforcement Order relative to the property is discharged.

Reasons for decision

1. On 23 November 2021 the First-tier tribunal for Scotland (Housing and Property Chamber) issued a decision requiring the Landlord to comply with the repairing standard enforcement order made by the tribunal on 23 November 2021.

2. The Repairing Standard Enforcement Order (“RSEO”) required the Landlord to

(a) Carry out all necessary repairs to the flat roof above the property, to prevent further water ingress, and thereafter

(b) Repair or replace the internal doors, and

(c) Repair and clean, or replace, the hall carpet, and

(d) Redecorate the inside of the property to remove the signs of water staining.

All within 4 months of service of the RSEO on the Landlord.

3. On 27 June 2022 both tribunal members visited the property by prior arrangement to re-inspect the property. Tribunal members could see that the property had been recently decorated. The applicant was present. He told tribunal members that all of the work has been carried out, although he has lingering fears of future water ingress.

4. Tribunal members inspected the interior surfaces of the property and found that the water staining which was obvious in October 2021 has been removed and the interior of the property had been redecorated. A new carpet has been fitted in the hallway of the property.

5. Two interior doors require some force to open and close because of the height of the new carpet pile, but the applicant told us that the landlord will adjust those doors in the next few days. The interior doors are no longer swollen by moisture.

6. The tribunal is now satisfied that the work required by the RSEO has been completed.

7. The tribunal therefore decided to issue a certificate of completion of works in terms of s. 60 of the Housing (Scotland) Act 2006.

8. 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.

9. 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.

P Doyle

Signed
Legal Member

30 June 2022