

# Housing and Property Chamber

## First-tier Tribunal for Scotland

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

**STATEMENT OF DECISION: Housing (Scotland) Act 2006 Sections 25(1) and 60**

**The Parties:**

**Ray Selby, 24F Main Street, St Ninians, Stirling FK7 9AP ("the Tenant")**

**Richard Thomas Findlay, 120 Brightwater, Crosshaven, County Cork, Republic of Ireland ("the Landlord")**

**24F Main Street, St Ninians, Stirling FK7 9AP ("the House")**

**Tribunal Reference number: PRHP/RP/15/0127**

**Tribunal Members:**

**John McHugh, Chairperson  
Mike Links, Ordinary (Surveyor) Member**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined that the work required by the Repairing Standard Enforcement Order dated 19 July 2025 ("the RSEO") had been completed and resolved to issue a Certificate of Completion of Work.**

**The decision of the Tribunal Members was unanimous.**

## **Background**

The RSEO required the Landlord to complete the following work within 28 days:

1 to repair or replace the windows such that they are free of misting, capable of being opened and closed as designed, and are reasonably draught proof.

2 to provide an up to date certificate from a suitably qualified electrician confirming that the electrical installations within the House are in safe working order. Such certificate must, in particular, confirm that the following are in safe order: the sockets in the living room and hall; the main room thermostat for the gas central heating system; and the immersion heater in the hall cupboard.

3 to install fire detection devices in compliance with the terms of the Scottish Government Guidance on Satisfactory Provision for Detecting and Warning of Fires.

## **Reasons for the Decision**

The House has been sold by the Landlord to a third party and the Tenant is no longer in occupation. The Property has been upgraded by the new owner.

On 13 March 2022, the Tribunal carried out a re-inspection of the House.

At the re-inspection the following was noted:

1 The windows have been replaced with new acceptable windows.

2. A satisfactory EICR was provided to the Tribunal shortly after the inspection.

3. A smoke alarm is present in the hall and in the kitchen/livingroom, where a heat detector is also present. All detectors were not interlinked at the time of the inspection but an electrician's confirmation of the interlinking was provided shortly after the inspection.

The detailed findings are noted in the Surveyor Member's Re-inspection Report.

On the basis of the evidence available, the Tribunal decides that the works have been completed and a section 60 Certificate will be issued.

### **Right of Appeal**

**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.**

Signed .....  
John McHugh

Date .....24 March 2023.....

Chairperson