

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Certificate of Completion of Work under Section 60 of the Housing (Scotland) Act 2006 as amended ("the Act")

Chamber Ref: FTS/HPC/RP/17/0130

**Title no/Sasine Description: 11 Hamilton Place, Glenrothes, KY6 1AJ being the Subjects registered in the Land Register of Scotland under Title Number FFE81847.
("the Property")**

The Parties:-

**Mr Alexander Young & Mrs Lorraine Young, 11 Hamilton Place, Glenrothes, KY6 1AJ
(represented by Frontline Fife, Leven, 34 Commercial Road, Leven, KY8 4LD
("the Tenants"))**

**Mr Lendrick Gillies, 132 St. John Road, Edinburgh, EH12 8AX
("the Landlord")**

The First-tier Tribunal for Scotland (Housing and Property Chamber) ('the Tribunal') hereby certifies that the work required by the **Repairing Standard Enforcement Order ("RSEO")** relative to the Property served on 16 June 2017 has been completed. Accordingly, the said RSEO relative to the property has been discharged.

A landlord, tenant or third party applicant 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.

In terms of Section 63 of the Act, 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.

In witness whereof these presents type written on this and the preceding pages are executed by Graham Harding, chairperson of the tribunal at Perth on 18 September 2017 before this witness:-

G Harding

__Witness __

__Legal Member

LTSKT7 Graham Name in full

c/o 17-21 Address

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PERTH, PH1J7T

Housing and Property Chamber

First-tier Tribunal for Scotland



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

STATEMENT relative to the Certificate of Completion issued by the tribunal in terms of Section 60 Housing (Scotland) Act 2006.

Chamber Ref: FTS/HPC/RP/17/0130

**Title no/Sasines Description: 11 Hamilton Place, Glenrothes, KY6 1AJ being the subjects registered in the Land Register of Scotland under Title Number FFE81847.
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The Parties:-

**Mr Alexander Young & Mrs Lorraine Young, 11 Hamilton Place, Glenrothes, KY6 1AJ
(represented by Frontline Fife, Leven, 34 Commercial Road, Leven, KY8 4LD
("the Tenants"))**

**Mr Lendrick Gillies, 132 St. John Road, Edinburgh, EH12 8AX
("the Landlord")**

The tribunal comprised:-

Mr Graham Harding (Legal Member and Chair)
Mr David Godfrey (Ordinary Member) (Surveyor)

DECISION

The tribunal having made such enquiries as was appropriate for the purposes of determining whether the Landlord has complied with the Repairing Standard Enforcement Order (RSEO) relative to the property and taking into account the subsequent inspection by the Ordinary Member, determined that the Landlord had now complied with the terms of the RSEO and resolved to issue a Certificate of Completion in respect of the works required by the RSEO.

1. By Decision dated 13 June 2017, the tribunal issued a Determination that the Landlord had failed to comply with the duties imposed by Section 14 (1) (b) of the Housing (Scotland) Act 2006 ("the Act").
2. On 16 June 2017, the tribunal issued an RSEO. The RSEO required the Landlord:-

- a. to produce a valid Electrical Installation Condition Report completed by a suitably competent person registered with NICEIC or SELECT. The Report should show that the electrical system is satisfactory and in working order and has no category 1 or 2 defects;
 - b. to produce a valid Gas Safety Certificate completed by a suitably competent person entered on the Gas Safe Register. The Report should show the gas safety system is satisfactory and in working order;
 - c. to repair the loose steps at the back door of the property to ensure that they are secure and in a reasonable state of repair;
 - d. to repair the loose trickle vents on the double glazed windows to ensure that the house is wind and water tight; and
 - e. to install a mechanical vent in the bathroom and treat the bathroom ceiling to remove the mould prior to redecoration.
3. The RSEO allowed the Landlord a period of 28 days to complete the works required.
4. On 02 August 2017, the Ordinary Member of the tribunal re-inspected the property and found that all of the requirements of the RSEO had been completed other than providing a valid Electrical Installation Condition Report and a valid Gas Safety Certificate.
5. The re-inspection report was sent to the parties on 16 August 2017. Subsequently by written representations made by the Landlord on 25 August 2017, the Landlord produced copies of a valid Electrical Installation Condition Report and a valid Gas Safety Certificate.
6. In light of the above, the tribunal was satisfied that all requirements contained within the RSEO had been carried out.

DECISION

7. The tribunals decision was therefore to discharge the RSEO and to grant the Certificate of Completion in terms of Section 60 of the Act. That decision was unanimous.

RIGHT OF APPEAL

8. In terms of Section 46 of the Tribunal's (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 may 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.

EFFECT OF SECTION 63 OF THE 2006 ACT

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.

In witness whereof these presents type written on this and the preceding pages are executed by Graham Harding, chairperson of the tribunal at Perth on 18 September 2017 before this witness:-
G Harding

____ Witness ____

Legal Member

LTSLT7 GHARDING Name in full

9/17-21 Address

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