# Housing and Property Chamber First-tier Tribunal for Scotland 

## Certificate of completion of work

Issued by the First-tier Tribunal for Scotland (Housing and Property Chamber)
Under section 60 of the Housing (Scotland) Act 2006

Case Reference Number: PRHP/RP/15/0314
Re: 30 Clifford Street, Glasgow G51 1PA ("the house")
Land Register Title No: GLA40116
The Parties:-
Mr Sayed Gillani, formerly residing at the house ("the former tenant")
Mr Wahsaka Singh Pall, 22 Eaglesham Road, Newton Mearns Glasgow G77 5BU ("the landlord")

Tribunal members: - Sarah O'Neill (Chairperson); Lorraine Charles (Ordinary (Surveyor) Member)

## CERTIFICATE OF COMPLETION

The First-tier Tribunal for Scotland (Housing and Property Chamber) ('the tribunal') hereby certifies that the work required by the Repairing Standard Enforcement Order relative to the house issued by the Private Rented Housing Committee on 19 April 2016 has been completed. Accordingly, the said Repairing Standard Enforcement Order relative to the house 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.

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 printed on this and the previous page are executed by Sarah O'Neill, solicitor, chairperson of the First-tier Tribunal (Housing and Property Chamber), at Glasgow on the 5th day of October 2017 before this witness:

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 name in full
## Glasgow

GL 83B

# Housing and Property Chamber 

First-tier Tribunal fọ Scotland


Statement relative to Certificate of Completion of Work issued by the First-tier Tribunal for Scotland (Housing and Property Chamber)

## Under section 60 of the Housing (Scotland) Act 2006

## Case Reference Number: PRHP/RP/15/0314

## Re: 30 Clifford Street, Glasgow G51 1PA ("the house")

Land Register Title No: GLA40116

## The Parties:-

Mr Sayed Gillani, formerly residing at the house ("the former tenant")
Mr Wahsaka Singh Pall, 22 Eaglesham Road, Newton Mearns Glasgow G77 5BU ("the landlord")

Tribunal members: - Sarah O'Neill (Chairperson); Lorraine Charles (Ordinary (Surveyor) Member)

1. The Private Rented Housing Committee ('the committee') issued a Repairing Standard Enforcement Order (RSEO) in respect of the house on 19 April 2016.
2. The RSEO required the landlord to:
3. Repair or replace the control valves on the radiators throughout the property to ensure that these are in a reasonable state of repair and in proper working order.
4. Provide an up to date gas safety certificate in respect of the property by a Gas Safe registered engineer, showing that all gas installations and appliances, including in particular the radiators, have been checked and are working safely.
5. Repair or replace the defective electrical sockets in bedroom 1, the kitchen and the living room as necessary in order to ensure that these are in a reasonable state of repair and in proper working order.
6. Provide an up to date Electrical Installation Condition Report (EICR) in respect of the property by a suitably qualified and registered SELECT or NICEIC electrical contractor, showing that all electrical installations, fixtures

NICEIC electrical contractor, showing that all electrical installations, fixtures and fittings - including in particular the electrical sockets mentioned at 3 above and the fridge freezer - and all appliances have been checked and are working safely.
5. Should the above EICR show that the fridge freezer is not working safely, repair or replace the fridge freezer as necessary to ensure that it is in a reasonable state of repair and in proper working order.
6. Provide an appropriate key or keys which are capable of locking the windows throughout the property in order to ensure that they are in a reasonable state of repair and in proper working order.
7. Securely fix an appropriate cover to the front of the wall vent in bedroom 1 in order to ensure that the vent is in a reasonable state of repair and in proper working order
8. Repair or replace the bathroom door as necessary in order to ensure that it is in a reasonable state of repair and in proper working order.
9. Repair or replace the vinyl flooring in the kitchen as necessary in order to ensure that it is safe and secure, and is in a reasonable state of repair and in proper working order.
10. Repair or replace the kitchen drawer which is not functioning correctly in order to ensure that it is in a reasonable state of repair and in proper working order.
11. Remove the gas fire in the living room from the property and repair the wall behind it to ensure that this is safe.
12. Replace and fix securely to the living room wall above the bay window the curtain rail and curtain, ensuring that the rail is capable of holding the curtain securely and is in a reasonable state of repair and in proper working order.
13. On completion of all the above works, ensure that all affected finishes and decoration are restored to an acceptable standard.

The committee ordered that the works specified in the RSEO must be carried out and completed within the period of and completed within the period of four weeks from the date of service of the RSEO.
3. On 30 November 2016, the committee issued a decision under section 26 (1) of the Housing (Scotland) Act 2006 that the landlord had failed to comply with the RSEO, for the reasons set out in more detail in that decision.
4. On 1 December 2016, the functions of the committee were transferred to the First-tier Tribunal for Scotland (Housing and Property Chamber) (" the tribunal").
5. An email was received from the landlord's agent, GPS Properties, on 25 April 2017, advising that the work detailed in the RSEO had been completed, and requesting that the tribunal arrange a re-inspection of the house. The tribunal
issued a direction to the landlord on 9 May 2017, requiring him to provide the documents required by the RSEO at items 2 and 4, namely an up to date gas safety certificate and an up to date Electrical Installation Condition Report (EICR) in respect of the house, by 31 May 2017.
6. On 30 May, an email was received from the landlord enclosing copy gas safety certificate and EICR in respect of the house. These were, however, the same documents which had previously been produced to the committee, which was not satisfied with these for the reasons set out in its Failure to Comply decision. The tribunal caseworker advised the landlord of this, and asked him to supply a gas safety certificate and EICR which did comply with the RSEO.
7. On 20 June, a gas safety certificate in respect of the house dated 20 June 2017 and an EICR in respect of the house dated 8 June 2017 were received from the landlord. The gas safety certificate had been issued by a Gas Safe registered engineer, SV Gas and Heating, Bearsden. It showed that the gas installations and appliances all passed the inspection, and were safe to use. The tribunal was satisfied that the gas safety certificate complied with item 2 of the RSEO.
8. The EICR, however, did not appear to have been carried out by an approved contractor, as required by the RSEO. It appeared to have been carried out by an NICEIC contractor, but confirmation was obtained from NICEIC on 14 July that the electrical contractor was not registered with them and was currently going through their registration process.
9. The tribunal caseworker wrote to the landlord on 20 July, advising that the tribunal required to see either: 1) a completed and signed checklist by the electrical contractor certifying that he was competent to carry out an EICR as required by the statutory guidance issued by Scottish Ministers on electrical safety standards or 2 ) an up to date EICR in respect of the house by a suitably qualified and registered SELECT or NICEIC electrical contractor, or a member of NAPIT, showing that all electrical installations, fixtures and fittings and appliances had been checked and were working safely.
10. On 22 August, a new EICR and PAT test certificate in respect of the house were received from the landlord. This EICR and PAT certificate were dated 14 August 2017, and were produced by a registered NICEIC contractor, IME Compliance Ltd, Glasgow. This showed the overall electrical installation to be satisfactory, and showed that the fridge freezer had passed the PAT test. The report made three observations, including references to a lack of RCD protection for socket circuits and for the bathroom lighting circuit. These were all classified as category C3 observations - improvement recommended. Section 13 (4A) of the Housing (Scotland) Act 2006 provides that in determining whether a house meets the standard of repair set out in sections 13 (1) (c) and (d) of the 2006 Act in relation
to installations for the supply of electricity and electrical fixtures, fittings and appliances regard is to be had to guidance issued by Scottish Ministers on electrical safety standards. The current guidance ${ }^{1}$ states (at paragraph 15) that any element of the electrical installation that is classified as a C1 or C2 must be rectified in order to comply with the repairing standard. While the tribunal observes that the landlord may wish to take action to rectify the matters which are categorised as C3 observations, it is satisfied that the EICR complies with item 4 of the RSEO.
11. As the tribunal was now satisfied that the landlord had complied with items 2 and 4 of the RSEO, it arranged a re-inspection of the house in order to establish whether the other items in the RSEO had been complied with. The ordinary (surveyor) member of the tribunal carried out a re-inspection of the house on 11 September 2017. Her re-inspection report, including photographs which were taken during the re-inspection, is attached to this statement. She found that all items within the RSEO had now been completed.
12. The tribunal therefore determined that the works required by the RSEO have now been completed satisfactorily, and that the appropriate Certificate of Completion in terms of section 60 of the Housing (Scotland) Act 2006 should be issued.

## Rights of Appeal

13. 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.
14. 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.


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## Housing and Property Chamber

 First-tier Tribunal for Scotland
## Re-inspection Report



30 Clifford Street,
Glasgow
G51 PA
PRHP/RP/15/0314
11 ${ }^{\text {th }}$ September 2017
Weather - Dry and bright
Surveyor - Lori Charles Ordinary Member
This is the reinspecting report dated 11 sestenser 2017 referee to. in the forgery statement of sensors

## Inspection

The property was re-inspected on $11^{\text {th }}$ September 2017 at 10am.Access was provided by the landlord Mr Wahsaka Singh Pall.

## Repairing Standard Enforcement Order

1. Repair or replace the control valves on the radiators throughout the property to ensure that these are in a reasonable state of repair and in proper working order.
2. Provide an up to date gas safety certificate in respect of the property by a Gas Safe registered engineer, showing that all gas installations and appliances, including in particular the radiators, have been checked and are working safely.
3. Repair or replace the defective electrical sockets in bedroom 1, the kitchen and the living room as necessary in order to ensure that these are in a reasonable state of repair and in proper working order.
4. Provide an up to date Electrical Installation Condition Report (EICR) in respect of the property by a suitably qualified and registered SELECT or NICEIC electrical contractor, showing that all electrical installations, fixtures and fittings - including in particular the electrical sockets mentioned at 3 above and the fridge freezer and all appliances have been checked and are working safely.
5. Should the above EICR show that the fridge freezer is not working safely, repair or replace the fridge freezer as necessary to ensure that it is in a reasonable state of repair and in proper working order.
6. Provide an appropriate key or keys which are capable of locking the windows throughout the property in order to ensure that they are in a reasonable state of repair and in proper working order.
7. Securely fix an appropriate cover to the front of the wall vent in bedroom 1 in order to ensure that the vent is in a reasonable state of repair and in proper working order
8. Repair or replace the bathroom door as necessary in order to ensure that it is in a reasonable state of repair and in proper working order.
9. Repair or replace the vinyl flooring in the kitchen as necessary in order to ensure that it is safe and secure, and is in a reasonable state of repair and in proper working order.
10. Repair or replace the kitchen drawer which is not functioning correctly in order to ensure that it is in a reasonable state of repair and in proper working order.
11. Remove the gas fire in the living room from the property and repair the wall behind it to ensure that this is safe.
12. Replace and fix securely to the living room wall above the bay window the curtain rail and curtain, ensuring that the rail is capable of holding the curtain securely and is in a reasonable state of repair and in proper working order.
13. On completion of all the above works, ensure that all affected finishes and decoration are restored to an acceptable standard.

## Works in RSEO undertaken:

All works indicated above have now been completed.

## Certificates received

1) EICR dated 14/8/17 received
2) Gas safety certificate dated 20/6/17 received

Photographs attached Appendix 1

## Appendix 1

Photograph Schedule - 30 Clifford St


Radiators all fitted with control valves


All broken electrical sockets replaced


Fridge freezer has been PAT tested along with all portable appliances


All windows tested, have a key and are able to open, close and lock


## Vent grill fitted



Replacement hinges fitted to bathroom door


New vinyl fitted to kitchen floor


Kitchen drawers repaired


Gas fire removed from lounge and wall repaired


Curtains and curtain rail removed and new vertical blinds fitted.

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reguired for items: Immediate remedial action N/A
required for items:


Further investigation $\quad \mathrm{N} / \mathrm{A}$
required for items: Improvement
recommended for items: 1, 2, 3 Improve

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been attributed a code $\mathrm{C2}$（potentially dangerous）or require further investigation are remedied or investigated respectively as a matter of urgency．Items which have
been attributed a Classification code C 3 should be improved as soon as practicable（see section 8 ）．

 NOTIOEdSNT IXEIN Installation is in a satisfactory condition and is fit for purpose and continued use．


Observations classified as＇Code 3 －Improvement recommended＇should be given due consideration Investigation without delay is recommended for observations identified as＇ FI －Further Investigation Required＇ 1 －Danger Present＇or＇Code 2 －Potentially dangerous＇are acted upon as a matter of urgency． where the overall assessment of the suitability of the installation for continued use on page 1 is stated as＇UNSATISFACTORY＇，I／We recommend that any observations classified as＇Code



 5．21 Single－pole switching or protective devices in line conductors only（132．14．1，530．3．2）

 5．17．4 Adequately connected at point of entry to enclosure（glands，bushes etc．）（522．8．5）

 5.17 .2 No basic insulation of a conductor visible outside enclosure（526．8） 5．17．1 Connections soundly made and under no undue strain（526．6） 5.17 Termination of cables at enclosures－indicate extent of sampling in Extent and Limitations of the report（Section 526） 5.16 Cables segregated／separated from non－electrical services（528．3） 5.15 Cables segregated／separated from communications cabling（528．2） | 5.13 | Provision of fire barriers，sealing arrangements and protection against thermal effects（Section 527） |
| :---: | :--- |
| 5.14 | Band II cables segregated／separated from Band I cables（528．1） | 5．12．4 For cables concealed in walls／partitions containing metal parts regardless of depth（522．6．203） 5．12．3 For cables concealed in walls at a depth of less than $50 \mathrm{~mm}(522.6 .202 ; 522.6 .203)$ 5．12．2 For supply to mobile equipment not exceeding 32 A rating for use outdoors（411．3．3）

 5.12 Provision of additional protection by RCD not exceeding 30 mA ：

 5.10 Concealed cables installed in prescribed zones（see Extent and Limitations）（522．6．202）N／A 5.9 Wiring system（s）appropriate for the type and nature of the installation and external influences（Section 522）N／A 5.8 Presence and adequacy of circuit protective conductors（411．3．1．1；543．1） 5．7 Adequacy of protective devices：type and rated current for fault protection（411．3） 5.6 Coordination between conductors and overload protective devices（433．1；533．2．1） 5．5 Adequacy of cables for current－carrying capacity with regard for the type and nature of installation（Section 523） $5.4 \begin{aligned} & \text { Non－sheathed cables protected by enclosure in conduit，ducting or trunking（521．10．1）（to include the integrity of } \\ & \text { conduit and trunking systems in metallic and plastic）}\end{aligned}$ | 5.2 | Cables correctly supported throughout their run（522．8．5） | N／A |
| :--- | :--- | :--- | :--- |
| 5.3 | Condition of insulation of live parts（416．1） | N／A |

 5．0 FINAL CIRCUITS | 4．22 | Adequate arrangements where a generating set operates as a switched alternative to the public supply（551．6） |
| :--- | :--- |
| 4.23 | Adequate arrangements where a generating set operates in parallel with the public supply（551．7） |
| $\mathbf{5 . 0}$ | （5AL | 4．21 Confirmation that ALL conductor connections，including connections to busbars，are correctly located in terminals and N／A

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| 7.4 | Suitability for the environment and external influences (512.2) |
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| 7.5 | Security of fixing (134.1.1) |
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| 7.1 | Condition of equipment in terms of IP rating (416.2) |
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| 7.2 | Equipment does not constitute a fire hazard (Section 421) |
| 7.3 | End |



| 6.4 .1 | Readily accessible for operation where danger might occur (537.4.2.5) |
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| 7.0 | CURRENT-USING EQUIPMENT (PERMANENTLY CONNECTED) |


| 6.4 | For emergency switching/stopping only |
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| 6.4.1 | Readily accessible for operation where |
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Low voltage (e.g. 230 volt) socket-outlets sited at least wm from Zone 1 (701.512.3)
Presence of supplementary bonding conductors, unless not required by BS 76
Shaver sockets comply with BS EN $61558-2-5$ formerly BS 3535 (701.512.3)


LOCATION(S) CONTAINING A BATH OR SHOWER
7.7.4 No signs of overheating to conductors/terminations (526.1)



Security of fixing (134.1.1)
Cable entry holes in ceiling

| 7.4 | Suitability for the environment and external influences (512.2) |
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| 7.5 | Security of fixing (134.1.1) |
| 7 | Cate |



Clearly identified by position and/or durable marking(s) (537.2.2.6)
Capable of being secured in the OFF position where appropriate (537.2.1.2)
Acceptable location - state if local or remote from equipment being controlled

In General
ISOLATION AND SWITCHING (ISOLATION, SWITCHING OFF FOR MECHANICAL MAINTENANCE, EMERGENCY STOPPINg
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                                Installed to minimise build-u
                                Correct type of lamps fitted
    
Cable entry holes in ceiling above luminaires, sized or sealed so as to restrict the spread of fire List number and
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## N/V Limitation ; LIM Not applicable



 Readily accessible for operation where danger might occur (537.4.2.5)


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|  |  |  |  | $\begin{aligned} & \text { r } \\ & \frac{0}{2} \\ & \frac{\text { In }}{2} \end{aligned}$ | $\begin{gathered} \text { UW } \\ \text { ᄃ } \\ \text { © } \\ \text { m } \\ \text { 岂 } \end{gathered}$ | $\begin{array}{r} \text { UW } \\ \text { ᄃ్ } \\ \hline \end{array}$ |  |  | $\begin{array}{\|c\|} \hline \begin{array}{c} \text { (5ळ) } \\ z_{1} \end{array} \\ \hline \begin{array}{c} \text { (pua } \\ \text { Aluo s } \end{array} \\ \hline \end{array}$ |  | （aun） <br> T」 |  |  | n $\frac{0}{0}$ $\frac{0}{2}$ |  | $\begin{aligned} & \frac{-1}{1} \\ & \frac{1}{2} \\ & \frac{2}{2} \end{aligned}$ |  |  |  | $z^{\text {แШ }}$ <br> วงกา |  |  |  | иореu6｜şp |  |
|  | צכם |  |  |  | 20uenssal HOREMSUI |  | （swyo）savuepadul |  |  |  |  |  | ¢00 |  | амирерi | szopan addue | סֹתםם |  | ：s．jompuios כונבמוֹ |  |  |  |  |  |  |

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Contact No
Postcode C51 IDA

Name (Mr/Mrs/Miss/Ms

Postcode Nontact No 19674.994 .26 Postcode Address
 Registered Engineer's Name $5, V A F A / E F A R D$ Details of Registered Business
Gas Safe Register No





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Verify the operating gas pressure or/and heat input rate are
standards.
connections are in good condition and compliance with relevant
Verify gas installation pipework and where appropriate any flexible
stability devices on cookers.
Verify the stabi ity of the appliance(s) including the provision of
Verify clearances from combustible materials and surfaces.
Verify satisfactory flame picture of burners. and appliance controls. ignition system, any flame supervision devices fitted, Verify satisfactory operation of appliance, control taps, any
Verify that there is an adequate supply of air to all appliances. 'seכue!|dde pue uone||etsu! Verify with the occupant any problems with the gas
Landlord/Homeowner Gas Safety Record Check List Guidance

