

# Housing and Property Chamber First-tier Tribunal for Scotland



## Statement of Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) under section 60(5) of the Housing (Scotland) Act 2006

Chamber Ref: PRHP/RT/16/0266

Property 9 Hollybush Avenue, Glenburn, Paisley, PA2 8SD being the subjects registered in the land Register of Scotland under Title Number REN 64302 ('the Property')

Renfrewshire Council., Renfrewshire House, Cotton Street, Paisley, PA1 1BR ('the Third Party Applicant')

Hugh Mulgrew residing at 13 Main Street, Dalrymple, Ayr, KA6 6DF ('the Landlord')

Ms Nicola Glen residing at 9 Hollybush Avenue, Glenburn, Paisley, PA2 8SD ('the Tenant')

The First-tier Tribunal for Scotland (Housing and Property Chamber), formerly the Private Rented Housing Committee, ('the Tribunal') comprising: Jacqui Taylor (Legal Member) and Lorraine Charles (Ordinary Member).

### Decision

The Tribunal, having considered the Landlord's representations for the purposes of determining whether the works specified in the Repairing Standard Enforcement Order had been completed determined that the required works had been completed and the order should be certified as having been completed.

### Background

1. The Repairing Standard Enforcement Order relative to the Property dated 23<sup>rd</sup> November 2016 (hereinafter referred to as 'RSEO') required the Landlord to provide a compliant Gas Safety Certificate to the PRHP Committee by 12<sup>th</sup> December 2016.
2. On 19<sup>th</sup> January 2017 the Surveyor/ Ordinary Member of the Tribunal inspected the Property to determine if the required works had been completed. Tenant was present at the inspection. The Landlord was not present at the inspection and was not represented. No gas safety certificate had been provided to the Tribunal. Her reinspection report dated 22<sup>nd</sup> January 2017 is annexed and executed as relative hereto.

3. On 7<sup>th</sup> February 2017 the Landlord's agent sent a compliant gas safety certificate dated 2<sup>nd</sup> September 2016 to the Tribunal Administration. The Tribunal examined the certificate and determined that it was a compliant certificate.

### **Decision**

4. The Tribunal being satisfied that the determined to certify that the terms of the RSEO had been completed.

5. The decision of the Tribunal was a unanimous decision.

### **6. Appeals**

**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.**

Signed..... **J Taylor** ..... Date 20<sup>th</sup> February 2017  
Chairperson

## Housing and Property Chamber First-tier Tribunal for Scotland

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Housing Property Chamber  
RT/16/0266 9 Hollybush Ave Paisley  
Re-inspection



Re-Inspection 19 January 2017 at 10:30am

Weather – Overcast

## **Summary**

This property was inspected on the 17 November 2016 by the PRHP Committee. A re-inspection was carried out on Thursday 19 January 2017 at 10.30 by Lori Charles Surveyor. The tenant Nicola Glen was in attendance.

## **Repairing Standards Enforcement Order**

The Landlord has failed to ensure that the installations in the property for the supply of water, gas and electricity and for sanitation, space heating and heating water are in a reasonable state of repair and proper working order.

The Private Rented Housing Committee requires the Landlord to provide a compliant Gas Safety Certificate to the PRHP Committee by 12th December 2016.

## **Inspection**

No Gas Safety Certificate has been provided. The tenant has advised that a new radiator has been fitted in the lounge but no gas safety checks have been carried out to her knowledge.



Ordinary Member *Lorraine Charles* Date 22/1/17

Lorraine Charles BSc (Hons) MRICS



# Domestic/Landlord Gas Safety Record

Safety inspection and reporting carried out in accordance with Gas Safety (Installation and Use) Regulations and the Gas Industry Unsafe Situations Procedure. No detailed internal inspection of gas (pneum) Constructions and Lining) has been carried out

Certificate Reference

9 Hollybush

Certificate No: 9 Hollybush

Engineers Details		Installation Details		Client Details	
Trading Title	Mutual Property Services	Installation Address	Occupier 9 Hollybush Avenue Paisley	Client Address	Connect Property Rooftop Office 31 Stockwell Street Glasgow
Address	4 Lynedoch Place Glasgow  Post Code: G3 6AB		Post Code: PA2 8SD		Post Code: G1 4RZ
Gas Safe No:	576945	Telephone No:	07584993021	Telephone No:	01415522041

Appliance Details				Inspection Details												
Location	Appliance Type	Make	Model	CO2 Reading	CO Reading	Flue Type (OF/RS/FL)	Appliance Inspected (YES/NO/NA)	Combustion Analyser Reading (CO/CO2)	Landlord's Appliance (YES/NO/NA)	Operating Pressure(mbar) or Heat Input(kW)	Safety Device(s) Correct Operation (YES/NO/NA)	Ventilation Provision Satisfactory (YES/NO)	Visual Condition of Flue and Termination Satisfactory (YES/NO/NA)	Flue Performance Test (PASS/FAIL/NA)	Appliance Serviced (YES/NO/NA)	Appliance Safe To Use (YES/NO)
1 Kitchen Cupboard	Combi boiler	Vokera	Compact 28	Na	Na	RS	YES	0.0008	YES	29.87 kw	YES	N/A	YES	PASS	NO	YES
2 Kitchen	Hob	Diplomat	No Model	Na	Na	FL	YES	Na	YES	21 mbar	YES	YES	N/A	N/A	NO	YES
3																
4																
5																

Faults/Notes	Remedial Work Taken	Warning Notice Fixed
1 No fed on hob	Advisory	NA
2 No bonding at meter	Advisory	NA
3		
4		
5		

Emergency Control Valve accessible:  YES Gas Tightness Satisfactory:  YES

Gas Installation Pipework Visual Inspection Satisfactory:  YES

Number Of Appliances Tested:  Equipotential Bonding:  YES

NEXT INSPECTION DUE ON OR BEFORE:  Installation Pass:  YES

CO Alarm fitted and working?  YES Smoke alarm fitted and working?  YES

This Gas Safety Report was created by Gas Checker Software 2016 all rights reserved www.gaschecker.co.uk

Signatures

Report Issued By: Name:  Signed: Date:

Report Received By: Name:  Signed:  Date:

Gas ID Number:

# J Taylor

# Housing and Property Chamber First-tier Tribunal for Scotland



## Certificate of Completion of the First-tier Tribunal for Scotland (Housing and Property Chamber) under section 60(5) of the Housing (Scotland) Act 2006

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Property 9 Hollybush Avenue, Glenburn, Paisley, PA2 8SD being the subjects registered in the land Register of Scotland under Title Number REN 64302 ('the Property')

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### CERTIFICATE OF COMPLETION

The Tribunal hereby certifies that the works required by the **Repairing Standard Enforcement Order** dated 23<sup>rd</sup> November 2016 ('RSEO') which required the Landlord to provide a compliant Gas Safety Certificate to the PRHP Committee by **12<sup>th</sup> December 2016**.

Has been **Completed**.

#### Appeals

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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 typewritten on this and the preceding page are executed by Jacqui Taylor, Solicitor, Chairperson of the Tribunal at Irvine on 20<sup>th</sup> February 2017 before the undernoted witness:**

Signed.....**J Tavlör**..... Date 20<sup>th</sup> February 2017  
Chair  
.....**K Byrne** witness: Keirsten Byrne, 65, High Street,  
Irvine