

# Housing and Property Chamber

## First-tier Tribunal for Scotland



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

**Chamber Ref: PRHP/RP/15/0166**

**Title no: GLA84972**

**The Property: Flat 1/1, 18 Huntly Gardens, Glasgow G12 9AT**

**The Parties:-**

**Mr Steven Young, residing formerly at the property (applicant and former tenant)**

**and**

**Mr Duncan John McAdam, residing at 48 Fernlea, Bearsden G51 1NB (landlord)**

**Decision:**

**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 dated 23 December 2015 as varied on 18 June and 20 December, both 2016 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 are signed at Oban on the Twenty third day of August 2017 in the presence of the witness signing below:

D Preston

S Steward

WITNESS

SARAH STEWARD  
22 ARGYLL SQ  
OBAN  
ARGYLL  
PA34 4AT

# **Housing and Property Chamber**

## **First-tier Tribunal for Scotland**

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**Statement of Reasons in relation to Certificate of Completion of works under section 60 of the Housing (Scotland) Act 2006 ("the Act"); issued under paragraph 6 of Schedule 2 of the Act**

**Chamber Ref: RP/15/0166**

**Title no: GLA84972**

**THE PROPERTY: Flat 1/1, 18 Huntly Gardens, Glasgow G12 9AT**

### **THE PARTIES:-**

**Steven Young, residing at the property (applicant and tenant)**

**and**

**Mr Duncan John McAdam, residing at 48, Fernlea, Bearsden, G51 1NB (landlord)**

### **THE TRIBUNAL:**

**David M Preston (Legal Member); and Andrew Taylor, Surveyor (Ordinary Member)**

### **Reasons:**

1. On 15 August 2017 the Ordinary Member of the tribunal, who is a qualified surveyor carried out a re-inspection of the property for the purpose of establishing if the work required under the RSEO had been satisfactorily completed.
2. Following on the re-inspection the Ordinary Member prepared a report dated 21 August 2017, which is attached hereto as a Schedule. The report noted that the work required had been completed and that there was no outstanding requirement.
3. Accordingly the tribunal determined that the landlord had complied with the RSEO and determined to grant a Certificate of Completion to the effect of discharging same.

**A landlord, tenant or third party applicant aggrieved by the decision of the tribunal may seek permission to appeal from the First-tier Tribunal on a point of law only 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.

D Preston

23 August 2017



OBAN, 23 August 2017

This is the Schedule referred to in the foregoing  
Statement of Reasons  
D Preston

**Re-Inspection Report**

Chairman



**Property – Flat 1/1, 18 Huntly Gardens, Glasgow, G12 9AT**

**Reference-** PRHP/RP/15/0166

**Surveyor –** Andrew Taylor, MRICS

**Previous Inspections –** Full Committee – 23rd September 2015, Surveyor (George Campbell) 4<sup>th</sup> April 2016

**Re-inspection (2) – 2.00pm, 15<sup>th</sup> August 2017**

**Weather –** Dry, light cloud

**In Attendance –** Mr Duncan John McAdam, Landlord

**Purpose of Re-inspection -** To establish if the work required under the Repairs Standard Enforcement Order had been completed.

**RSEO –** In terms of the RSEO issued on 23rd December 2015 as varied on 18<sup>th</sup> June 2016 and 20<sup>th</sup> December 2016 the Landlord was required to carry out such work as was necessary to ensure that the house meets the repairing standard and in particular the following specific areas: -

1. To instruct a suitably qualified tradesman to ascertain the cause of the water ingress above the bay window and to carry out any work recommended by the tradesman so as to make the property wind and watertight.

2. To instruct a suitably qualified tradesman to carry out repairs to the windows to render them wind and watertight and in a reasonable state of repairs. In particular any gaps between the window frames and the glass should be attended to and the glass made safe as well as wind and watertight.
3. To obtain an energy efficiency report or energy performance certificate from a suitably qualified energy efficiency auditor in order to identify what steps could be reasonably taken to ensure the property is reasonably habitable and can be heated at a reasonable cost to the occupant.
4. To lodge a copy of the energy efficiency report or energy performance certificate with the offices of the PRHP.

#### **Works In RSEQ Previously Carried Out**

1. It appeared that some repair work had been carried out at the bay window but that work was not complete.
2. It appeared that some repair work had been carried out at the windows but those works were not complete.
3. And 4. Although an EPC had been lodged with the PRHP, that report indicated that new heaters were required to allow the property to be heated properly and efficiently.

#### **Further Works Carried Out**

1. Works have been completed to the bay window so that it is now wind and watertight.
2. Works have been completed to the windows so that they are now wind and watertight and are in reasonable working order.

3. Suitably power rated electric panel heaters have been provided in the living room, hall and bedroom so that the property can be heated at a reasonable cost.

#### **Works In RSEO Outstanding**

**Nil**

#### **Photographs**



Electric panel heater (1) living room - August 2017



Electric panel heater (2) living room - August 2017



Electric panel heater hall - August 2017



Electric panel heater bedroom - August 2017



Bay window –August 2017





Bay window – August 2017

**Andrew Taylor MRICS**

**Surveyor Member, Housing and Property Chamber, First-tier Tribunal For Scotland**

**21<sup>st</sup> August 2017**