

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: FTS/HPC/RT/18/0840

Title no: OAZ2579

The Property: 59 QUOYBANKS CRESCENT, KIRKWALL, ORKNEY KW15 1EN

The Parties:

ORKNEY ISLANDS COUNCIL, School Place, Kirkwall, Orkney KW15 1NY per Mr Paul Turner, Environmental Health Officer. (“third party applicant”)

MR JON O’JOYCE, formerly residing at the property and whose whereabouts are currently unknown. (“the former tenant”)

HENRY CLIVE CHADDOCK and MRS CYNTHIA REBECCA CHADDOCK, residing at The Manse, Harray, Orkney KW15 2JR per MS SERENA SUTHERLAND, Solicitor, D&H Law, 56A ALBERT STREET, Kirkwall, Orkney KW15 1HQ. (“the landlords”)

The tribunal:

Mr David M Preston, Legal Chairman and Mr Greig Adams, Surveyor and Ordinary Member

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 31 July 2018 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 comprising this and the preceding page are signed as follows

D Preston

Chairing Member

CBAN

Place of signing

1 July 2020

Date of signing

H McLean

Witness signature

Hugh McLean

Witness full name

Terrington

Witness Address

Benvenue Road

CBAN

Highgate

Housing and Property Chamber
First-tier Tribunal for Scotland



**STATEMENT OF DECISION FOR CERTIFICATE OF COMPLETION UNDER
SECTION 24 HOUSING (SCOTLAND) ACT 2006.**

Chamber Ref: FTS/HPC/RT/18/0840

Title no: OAZ2579

The Property: 59 QUOYBANKS CRESCENT, KIRKWALL, ORKNEY KW15 1EN

The Parties:-

ORKNEY ISLANDS COUNCIL, School Place, Kirkwall, Orkney KW15 1NY per Mr Paul Turner, Environmental Health Officer. (“third party applicant”)

MR JON O’JOYCE, formerly residing at the property and whose whereabouts are currently unknown. (“the former tenant”)

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The tribunal:

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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 31 July 2018 has been completed. Accordingly, the said RSEO relative to the property has been discharged.

Reasons for Decision:

- 1. On 9 January 2020 the Ordinary (Surveyor) Member of the tribunal carried out a re-inspection of the property and issued a report following thereon which was copied to the landlords and the third-party applicant on 29 January 2020. The report is attached hereto and referred to for its terms.**
- 2. The re-inspection found that the works required by the RSEO had been completed,**

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.

D Preston Chairman

1 July 2020