

# Housing and Property Chamber First-tier Tribunal for Scotland

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**Certificate of Completion: under Sections 60 and 25 of Housing (Scotland) Act 2006 ("the Act").**

**Chamber Ref: RP/16/0219**

**Title no: REN42642**

**23 Baron Street, Renfrew, PA4 0JU, registered in the Land Register for Scotland, Title number ("the property")**

## **The Parties:-**

**Miss Lorraine Heaney, residing at the property, represented by her agent, Ms Elaine Briggs, NHS Greater Glasgow & Clyde, Suite 1001, Mile End Business Centre, 12 Seedhill Road, Paisley PA1 1JS (applicant and tenant)**

**and**

**EEH Property Services, 4 Mill Vennell, Renfrew PA4 0AE, per Future Alliance Letting Management Ltd, 4 Carriagehill Drive, Paisley, PA2 6JG (registered landlord)**

**and**

**John Horne and Anne Marie Horne both residing some time at the property and of 4 Mill Vennel, Renfrew PA4 0AE (registered proprietors)**

## **The First-tier Tribunal for Scotland (Housing and Property Chamber):**

**David M Preston, Legal Member; and Carol Jones, Ordinary Member (surveyor) ('the tribunal)**

## **Decision**

The tribunal hereby certifies that the work required by the Repairing Standard Enforcement Order (RSEO) dated 2 September 2016 has been completed. Accordingly, the RSEO is revoked.

## **Review of tribunal's decision:**

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 leave to appeal from the First-tier tribunal. That party must seek permission to appeal within thirty days of the date when 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 typewritten on this and the preceding page are subscribed as follows:

D Preston

..... Chairman

..... Witness  
signature

SARAH STEWARD  
..... Witness  
Full Name

OBAN  
..... Place of Signing

22 ARGYLL SQUARE  
OBAN  
..... Witness  
address

26 April 2017  
..... Date of Signing

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

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**Statement of Reasons for Certificate of Completion under section 60 of Housing (Scotland) Act 2006 (“the Act”): issued under Section 25 and paragraph 6 of Schedule 2 of the Act.**

**Chamber Ref: RP/16/0219**

**Title no: REN42642**

**23 Baron Street, Renfrew, PA4 0JU, registered in the Land Register for Scotland, Title number (“the property”)**

**The Parties:-**

**Miss Lorraine Heaney, residing at the property, represented by her agent, Ms Elaine Briggs, NHS Greater Glasgow & Clyde, Suite 1001, Mile End Business Centre, 12 Seedhill Road, Paisley PA1 1JS (applicant and tenant)**

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**and**

**John Horne and Anne Marie Horne both residing some time at the property and of 4 Mill Vennell, Renfrew PA4 0AE (registered proprietors)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (formerly the Private Rented Housing Panel):**

**David M Preston, Legal Member; and Carol Jones Ordinary Member (Surveyor) (‘the tribunal)**

**Decision**

**The tribunal determined to issue a Certificate of Completion under section 60 of the Act and to revoke the Repairing Standard Enforcement Order (RSEO) dated 2 September 2016 under section 25 of the Act.**

## Reasons

1. Following the expiry of the time limit specified in the RSEO as extended by the Variation dated 13 December 2016 for the Works to be carried out, the ordinary member (surveyor) of the tribunal carried out a re-inspection of the property on 8 March 2017 and prepared a Report dated 9 March 2017 attached hereto.
2. Following the issue of the report to the parties, the tenant confirmed by Response Notice dated 23 March 2017 that the landlord had completely redecorated the property and replaced the windows.
3. Accordingly the tribunal was satisfied that the Works required by the RSEO had been completed.

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 leave to appeal from the First-tier tribunal. That party must seek permission to appeal within thirty days of the date when 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**

..... Chairman

25 April 2017

Oban, 24 April 2017

This is the Report referred to in the foregoing Statement of Reasons.

## Scottish Courts and Tribunals Service



D Preston

Chairman

### Re-inspection report



**Date of inspection:** Wednesday 8 March 2017.

**Reference Number:** PRHP/RP/16/0219

**Property:** 23, Baron Street, Renfrew PA4 0JU

**Surveyor:** Carol L Jones MA MRICS

**Previous Inspection:** The subject property was inspected by a full committee of the Private Rented Housing Panel on 25 August 2016 and as a result a Repairing Standard Enforcement Order dated 2 September 2016 was served. The property was re-inspected on 2 November 2016 and while substantial progress in relation to compliance with the order had been made at that time by the landlord some works remained outstanding and a minute of variation was issued by the committee to allow extra time to complete the works

**Access:** The tenant Miss Lorraine Heaney provided access.

**Weather:** Dry, cold and overcast.

**In attendance:** The tenant Miss Lorraine Heaney and the landlord's agent Mr Jack Fulton attended the inspection.

**Repairing Standard Enforcement Order (RSEO) dated 2 September 2016.**

**The Committee now requires the Landlords to carry out such work as is required to ensure the property meets the Repairing Standard and that any damage caused as a consequence of carrying out of any works in terms of this Order is also made good before the expiry of the Completion Date.**

**In particular, and without prejudice to the foregoing generality, the Committee HEREBY ORDERS the Landlords to carry out the following repairs ('the Works');-**

**1) Instruct a suitably qualified electrician who is registered with NICEIC, SELECT or NAPIT to carry out all necessary work to the electrical installation throughout the property and thereafter to lodge an Electrical Installation Certificate in the offices of PRHP.**

**2) Carry out all necessary work to ensure that the internal doors are fully operational and to repair and re-fit the bathroom door.**

**3) Adjust the windows in the living room to ensure that they can be readily and smoothly opened and closed and to carry out such repairs as are necessary to properly seal the windows to make them fully wind and watertight.**

**4) Instruct a suitably qualified builder to investigate the cause of water ingress in the vicinity of the back door and carry out all necessary work to eliminate the ingress.**

**5) Repair or replace the fitted oven to ensure that adjacent kitchen units are not damaged by excessive heat and repair or replace the damaged kitchen unit doors.**

**The Committee HEREBY FURTHER ORDERS that the Works specified in this Order must be carried out within six weeks from the date of service of this Order.**

**Works in the RSEO undertaken - see attached photographs:**

1) As at the previous re-inspection on 2 November 2016 the landlord had completely rewired the property and submitted an Electrical Installation Certificate completed by a Select registered electrician, GD Chalmers Limited dated 4 October 2016. The landlord has now completed the necessary works to make good all damage caused by the rewiring and redecorated the living room to a high standard.

2) As at the previous re-inspection the landlord had renewed the handles to the front bedroom and kitchen doors and fitted a brand new door to the bathroom. All internal doors are now fully operational and open and close properly (see photographs from previous re-inspection report dated 3 November 2016).

3) The landlord has now completely replaced all the living room windows with new UPVC double glazed units. The tenant pointed out some minor damage to paintwork as a result of the works to replace these windows and confirmed a decorator is due to attend to this soon.

- 4) The landlord had investigated the cause of the water ingress around the back door in the kitchen prior to the previous re-inspection on 2 November 2016, this was found to be a leak from the upper flat the cause of which was rectified some time ago. Works to make good the damage caused by this leak have now been completed and the affected walls painted.
- 5) As at the previous re-inspection on 2 November 2016 the oven and the two adjoining kitchen cupboard doors had been completely renewed (see photographs from previous re-inspection report dated 3 November 2016).

**All photographs were taken at the re-inspection on 8 March 2017 (see schedule below).**

**Comments:** This report will be submitted to a full committee of the First-tier Tribunal for Scotland (Housing and Property Chamber) for their decision.

**Carol L Jones MA MRICS  
Ordinary Member (Surveyor)  
First-tier Tribunal for Scotland (Housing and Property Chamber)**

**9 March 2017**

Schedule of photographs taken during the re- inspection of 23 Baron Street, Renfrew PA4 0JU by the ordinary member (surveyor) of the First-tier Tribunal for Scotland (Housing and Property Chamber) on 8 March 2017.

Reference Number : PRHP/RP/16/0219



New Living Room Windows - External



New Living Room Windows - Internal



Living Room windows - slight damage to adjoining paintwork



Living Room windows - slight damage to adjoining paintwork



Living Room - complete re-decoration



Kitchen - walls re-painted



Kitchen - walls re-painted



Kitchen - walls re-painted