

# Housing and Property Chamber First-tier Tribunal for Scotland



First-tier Tribunal for Scotland (Housing and Property Chamber)  
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

Chamber Ref: PRHP/RP/16/0341

Search Sheet number: 245151

Sasines Description: 7 Yarrow Court, Penicuik, being the subjects more particularly described in Disposition to Midlothian County Council, recorded in the Division of the General Register of Sasines applicable to the County of Midlothian on the Fifth day of February Nineteen Hundred and Fifty-four ("The Property")

The Parties:-

Ms Caroline Elder, residing at 7 Yarrow Court, Penicuik, EH26 8HD ("the Tenant")

and

Ms Shapla Ahmed Khan, per her agents, The Key Place, 6 Bank Street, Penicuik, EH26 9BG ("the Landlord")

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, served on 23 January 2017, has been completed. Accordingly, the said RSEO relative to the Property has been discharged.

**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. The party must seek permission to appeal within 30 days of the date the decision was sent to them.**

In witness whereof these presents type written on this page only are executed by Andrew Cowan chairperson of the tribunal at Glasgow on 24 April 2017 before this witness:-

Signed .....  
Andrew Cowan, chairperson

..... Witness  
Laura McManus, Secretary, 7 West George Street, Glasgow, G2 1BA

# Housing and Property Chamber First-tier Tribunal for Scotland



**Determination by the First-tier Tribunal for Scotland (Housing and Property Chamber)**

## **Decision to grant a Certificate of Completion of work Under Section 60 of the Housing (Scotland) Act 2006**

Chamber Ref: PRHP/RP/16/0341

Search Sheet number: 245151

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The Parties:-

Ms Caroline Elder, residing at 7 Yarrow Court, Penicuik, EH26 8HD ("the Tenant")

and

Ms Shapla Ahmed Khan, per her agents, The Key Place, 6 Bank Street, Penicuik, EH26 9BG ("the Landlord")

### **Decision**

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal"), having made such enquiries as it saw fit for the purpose of determining whether the Landlord has complied with the terms of the Repairing Standard Enforcement Order ("RSEO") dated 23 January 2017, in relation to the Property concerned determined that the Landlord has now complied with the terms of that RSEO and that it is accordingly appropriate to grant a Certificate of Completion in terms of Section 60(5) of the Housing (Scotland) Act 2006 ("the Act").

The Tribunal consisted of:-

Mr Andrew Cowan – Chairperson

Ms Sara Hesp – Ordinary (Surveyor) Member

### **Statement of facts and reasons**

1. The Tribunal issued a RSEO in respect of the Property dated 23 January 2017. The RSEO required the Landlord to:-

to carry out such works as are necessary to the locking mechanism of the front door so that the locking mechanism at the front door of the Property is in a reasonable state of repair and in proper working order.

2. The Ordinary (Surveyor) Member of the Tribunal re-inspected the Property on 3 April 2017, in order to ascertain whether the work required by the RSEO had been completed. At that the time, the Surveyor Member of the Tribunal reported that all works required by the RSEO had been completed.
3. A copy of the written report prepared by the Ordinary (Surveyor) Member of the Tribunal, following the re-inspection of the Property on 3 April 2017, was exhibited to parties. Parties have not corresponded further with the Tribunal in relation to that re-inspection report.
4. In all the circumstances the Tribunal are satisfied that the requirements of the RSEO have been complied with, and that it is appropriate to grant a Certificate of Completion.

#### **Right of Appeal**

5. 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. The party must seek permission to appeal within 30 days of the date the decision was sent to them.

Signed .....  
Andrew Cowan, Chairperson