

Housing and Property Chamber First-tier Tribunal for Scotland



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

Certificate of completion of work: Housing (Scotland) Act 2006 Section 60

Property at: 20 Sage Terrace, Lochcarron, Strathcarron, IV54 8XQ being the subjects more particularly described in and disposed by Feu Disposition by Highland Council in favour of John MacPherson and Sheila Joyce MacPherson recorded in the General Register of Sasines for the County of Ross and Cromarty on 23rd December 1996 ('the Property').

Chamber Ref: PRHP/RP/16/0218

The Parties:

Mrs Sherrie Vye residing at 20 Sage Terrace, Lochcarron, Strathcarron, IV54 8XQ ('the Tenant')

Mr John MacPherson and Mrs Sheila MacPherson residing at Weavers Cottage, North Strome, Lochcarron, IV54 8YJ ('the Landlords')

The First-tier tribunal for Scotland (Housing and Property Chamber) ('the tribunal') hereby certifies that the work required by the **Repairing Standard Enforcement Order** relative to the Property dated 22nd August 2016 has been completed. Accordingly, the said Repairing Standard Enforcement Order 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. 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.

In witness whereof these presents typewritten on this page are executed by Helen Forbes, solicitor, chairperson of the tribunal at Inverness on 28th February 2017 before this witness:-

M Forbes

witness

H Forbes

chairperson

Housing and Property Chamber

First-tier Tribunal for Scotland



DETERMINATION BY FIRST-TIER TRIBUNAL FOR SCOTLAND (HOUSING AND PROPERTY CHAMBER)

Statement relative to the Certificate of Completion of work issued by the First-tier Tribunal for Scotland (Housing and Property Chamber) under section 63 of the Housing (Scotland) Act 2006

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Decision

1. Further to a decision of the Private Rented Housing Committee dated 22nd August 2016, the Committee issued a Repairing Standard Enforcement Order ('RSEO') in respect of the Property. The members of the Committee were Helen Forbes, Chairperson, and Andrew Taylor, Surveyor Member. Within twelve weeks of the date of service of the RSEO, the Landlord was required to:-
 1. Engage a suitably qualified and registered SELECT or NICEIC electrical contractor to carry out a certificated electrical condition check (EICR) on the entire electrical installation of the property. The inspection and report should include the connections to the oil fired central heating boiler.
 2. Engage a suitably qualified Oftec registered oil heating engineer to carry out the works as identified on the CD/11 Report C10434/27222 (attached) including eradicating leaks, repositioning boiler, fuel supply piping and tanks, rectifying fire valve issues, rectifying wiring issues, providing pipe lagging, providing suitable thermostatic controls and programmers. On completion balance and commission

the complete hot water and heating system including radiator thermostatic valves and leave in proper working order including the provision of a completed CD/11 certificate for the completed works.

3. Excavate and make good the garden ground contaminated by the oil leaks.
 4. Make good and decorate the living room ceiling damaged by water leaks.
 5. Secure kitchen hot and cold taps and leave in proper working order.
 6. Make good kitchen base units where shelves have collapsed and re-secure cupboard backs.
 7. Make good or renew kitchen drawer unit runners and leave in proper working order.
 8. Re-fix kitchen wall units to walls so that they are secure.
 9. Replace double glazing units to stair landing Velux window and main bedroom window.
 10. Repair or replace main bedroom fitted wardrobe doors and runners so that they are in proper working order.
 11. Secure or re-bed slab at step in rear path so that it is safe.
 12. Repair or replace the door to external meter cupboard.
 13. Carry out all making good and decoration works associated with the above repairs.
2. On 11th November 2016, the tenant informed the Private Rented Housing Panel that the tenancy had ended on 14th October 2016.
 3. A re-inspection of the Property was scheduled for 23rd November 2016. On 11th November 2016, the Landlords requested a postponement of the re-inspection due to the unavailability of tradesmen. The Committee granted the request for a postponement.
 4. On 1st December 2016, the functions and members of the Private Rented Housing Panel transferred to the First Tier Tribunal for Scotland, with allocation to the First Tier Tribunal for Scotland (Housing and Property Chamber).
 5. A re-inspection conducted by the surveyor member of the Tribunal took place on 15th February 2017 to verify that the works had been carried out.
 6. On 17th February 2017 the surveyor member produced a report with photographs for the Tribunal demonstrating that the above requirements of the RSEO had been complied with to a satisfactory standard. Said report with photographs is produced as relative hereto.

7. Thereafter, the Tribunal considered whether or not it was appropriate to find that the works required by the RSEO had been completed and the appropriate Certificate of Completion in terms of section 60 of the 2006 Act should be issued. The Tribunal agreed that the appropriate Certificate should be issued.

Right of Appeal

8. **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. That party must seek permission to appeal within 30 days of the date the decision was sent to them.**
9. Where such an appeal is made, the effect of the decision and the order is suspended until the appeal is abandoned or finally determined, and where the appeal is abandoned or finally determined by confirming the decision, the decisions and the order will be treated as having effect from the day on which the appeal is abandoned or so determined.

H Forbes

Chairperson

First Tier Tribunal for Scotland (Housing and Property Chamber)

Date: 28th February 2017



Re-Inspection Report



This is the reinspection report dated 17th February 2017 referred to in the foregoing decision dated 28th February 2017

H Forbes

Chairperson

Property – 20 Sage Terrace, Lochcarron, Strathcarron, IV54 8XQ

Reference- PRHP/RP/16/0218

Surveyor – Andrew Taylor, MRICS

Previous Inspections – Full Committee – 11.00am, 18th August 2016

Re-inspection – 10.30am, 15th February 2017

Weather – Dry, sunny

In Attendance – Mr John MacPherson & Mrs Sheila MacPherson, Landlords

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 22nd August 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. Engage a suitably qualified and registered SELECT or NICEIC electrical contractor to carry out a certificated electrical condition check (EICR) on the entire electrical installation of the property. The inspection and report should include the connections to the oil fired central heating boiler.
2. Engage a suitably qualified OFTEC registered oil heating engineer to carry out the works as identified on the CD/11 Report C10434/27222 including eradicating leaks, repositioning boiler, fuel supply piping and tanks, rectifying fire valve issues, rectifying wiring issues,

providing pipe lagging, providing suitable thermostatic controls and programmers. On completion balance and commission the complete hot water and heating system including radiator thermostatic valves and leave in proper working order including the provision of a completed CD/11 certificate for the completed works.

3. Excavate and make good the garden ground contaminated by the oil leaks.
4. Make good and decorate the living room ceiling damaged by water leaks.
5. Secure kitchen hot and cold taps and leave in proper working order.
6. Make good kitchen base units where shelves have collapsed and re-secure cupboard backs.
7. Make good or renew kitchen drawer unit runners and leave in proper working order.
8. Refix kitchen wall units to walls so that they are secure.
9. Supply and fit Carbon Monoxide detector compliant with the Scottish Government Statutory Guidance for the provision of carbon monoxide alarms in private rented housing.
10. Replace double glazing units to stair landing Velux window and main bedroom window.
11. Repair or replace main bedroom fitted wardrobe doors and runners so that they are in proper working order.
12. Secure or rebed concrete slab at step in rear path so that it is safe.
13. Repair or replace the door to external meter cupboard.

14. Carry out all making good and decoration works associated with the above repairs.

Works In RSEO Carried Out

- 1. A satisfactory Electrical Installation Condition Report has been provided.**

- 2. The works to the oil fired central heating system as identified on the CD/11 Report C10434/27222 have been satisfactorily carried out and a CD/11 certificate for the completed works has been provided.**

- 3. The garden ground contaminated by the oil leaks has been made good.**

- 4. The living room ceiling damaged by water leaks has been made good and decorated.**

- 5. Kitchen hot and cold taps have been secured and are in proper working order.**

- 6. Kitchen base units have been repaired and are fit for purpose.**

- 7. Kitchen drawer unit runners have been repaired and are in proper working order.**

- 8. Kitchen wall units have been secured.**

- 9. A Carbon Monoxide detector has been supplied.**

- 10. Blown glazing units to stair landing and main bedroom have been replaced.**

11. Main bedroom fitted wardrobe doors and runners have been repaired and are in proper working order.
12. Concrete slab at step in rear path has been made safe.
13. The door to external meter cupboard has been replaced.
14. All making good and decoration works associated with the above repairs have been completed.

Works In RSEO Outstanding at Inspection

1. Nil

Photographs



Oil fired boiler February 2017



Oil supply pipework February 2017



Oil tank and pipework February 2017



Living room ceiling February 2017



Kitchen taps February 2017



Kitchen units/drawers February 2017



Replacement glazing unit February 2017



Fitted wardrobe February 2017



Step in rear path February 2017



External meter cupboard February 2017



CD/11 Certificate February 2017

Andrew Taylor MRICS

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

17th February 2016