

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Statement of Reasons: Housing (Scotland) Act 2006 Section 60(5)

Chamber Ref: FTS/HPC/RP/24/5461

Property: 39 Barnton Park Crescent, Edinburgh, EH4 6ER ('The House')

The Parties: -

Lawrence Skilling, 30 Landsdown Place, Lewes, East Sussex, BN7 2JU ('the landlord')

Alex Jones, Catherine Jones formerly of 39 Barnton Park Crescent, Edinburgh, EH4 6ER ('the former tenant')

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) ('the tribunal') having made such enquiries as are fit for the purposes of determining whether the Repairing Standard Enforcement Order dated 30 June 2025 has been complied with determined that the Repairing Standard Enforcement Order has been complied with and that a Certificate of Completion should be issued in accordance with section 60(5) of the Housing (Scotland) Act 2006.

The Tribunal consisted of: -

Mary-Claire Kelly, Chairing and Legal Member

Sara Hesp, Ordinary Member (surveyor)

1. Reference is made to the decision of the Tribunal dated 25 June 2025 which determined that the landlord had failed to comply with the duty imposed by

Section 14(1)(b) of the Housing (Scotland) Act 2006 (“the Act”) as the property did not meet the Repairing Standard. The Tribunal therefore made a Repairing Standard Enforcement Order (RSEO). The works required by the RSEO were:-

- 1) *Exhibit to the Tribunal a current satisfactory Electrical Installation Condition Report (EICR) from a SELECT, NICEIC or NAPIT registered electrician in respect of the property, containing no Category C1 or C2 items of disrepair and no FI categorisations. The report should contain no limitations on the scope of the report and is expected to cover the full electrical installation within the property. The report should include testing and certification of any portable electrical appliances provided by the Landlord.*
 - 2) *Carry out such repairs as are necessary to ensure that there is a functioning fixed light source in the front right bedroom in the property.*
 - 3) *Carry out such repairs as are necessary to ensure the bathroom door is fully functioning, lockable and in a reasonable state of repair or replace the door and lock.*
 - 4) *Carry out such works as are required to ensure that the provision of smoke detectors and heat detectors within the House complies with the Fire Protection in Rented Properties Guidance published by the Scottish Government on 7 February 2019, effective 1 March 2019 and available on the Scottish Government website.*
2. The Tribunal ordered that the works be carried out within the period of 8 weeks from the date of service of the RSEO.
 3. Following the expiry of the period for completion of the works, a re-inspection and hearing were scheduled for 22 October 2025.

Re-inspection and teleconference hearing - 22 October 2025

4. The Tribunal re-inspected the property on the morning of 22 October 2025. Mr Nixon from Edinburgh Letting Centre was in attendance. One of the current occupants of the property was also present during the re-inspection.
5. Prior to the re-inspection the landlord had submitted an Electrical Installation Condition Report (EICR) prepared by Lumen Electrical Services on 16 September 2025 together with a number of invoices relating to upgrading work to the electrical installations in the property.
6. Photographs were taken by the Tribunal during the inspection. Copies of the photographs are attached as a schedule to this statement of decision
7. The Tribunal found that a repair had been carried out to the bathroom door. The door was fully functioning, lockable and in a reasonable state of repair.

8. The Tribunal observed that a functioning light fitting had been fitted in the front-right bedroom.
9. The Tribunal found that smoke and heat detectors had been installed in the hall, living/dining room and kitchen. The detectors were checked during the re-inspection and were interlinked and functioning.
10. A teleconference hearing took place at 2pm on 22 October 2025. The landlord was represented by Alex Priestly, from Edinburgh Letting Centre.
11. Mr Priestly confirmed that there were currently no tenants in the property which was occupied by the landlord's daughter and her partner. The white goods and portable electrical appliances had not been supplied by the landlord.

Reasons for the Decision

12. The Tribunal was satisfied that the EICR that had been submitted complied with paragraphs 1 the RSEO. The EICR did not include a portable appliance test, however the Tribunal was satisfied that the property was not being rented out and the appliances within the property had been purchased by the current occupants and therefore did not insist on this item.
13. The Tribunal was satisfied based on the findings at the re-inspection on 22 October 2025 that the works carried out by the landlord complied with the RSEO dated 40 June 2025 and determined to issue a completion certificate.

Decision

The tribunal determined that the RSEO had been complied with and proceeded to issue a Certificate of completion.

M C Kelly Chairperson:

Date: 22 October 2025