

# Housing and Property Chamber

## First-tier Tribunal for Scotland

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

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

**Chamber Ref: PRHP/RP/17/0376**

**Title no: STG28372 in the Land Register of Scotland**

**Re: Property at 16 Abbey Mill, Stirling FK8 1QS**

**("The House")**

**The Parties:-**

**Adeline Kinsella, 16 Abbey Mill, Stirling FK8 1QS**

**("the Tenant")**

**Helen Boyd Mack, Saudi Archirodon Limited, PO Box 2987, Jeddah 21461, Saudi Arabia**

**("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** relative to the House served on 3 January 2018 and subsequently varied has been completed. Accordingly, the said Repairing Standard Enforcement Order relative to the House 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.**

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 type written on this and the preceding page are executed by Rory A B Cowan, solicitor, 16 Royal Exchange Square, Glasgow G1 3AG, chairperson of the tribunal at Glasgow on 1 October 2019 before this witness:-

K Donnelly

R Cowan

witness

chairperson

KIRSTIE DONNELLY name in full

16 ROYAL EXCHANGE SQ Address

GLASGOW

G1 3AG

# **Housing and Property Chamber**

## **First-tier Tribunal for Scotland**

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

**Statement of Decision: Housing (Scotland) Act 2006 Section 25(1) & 60**

**Chamber Ref: PRHP/RP/17/0376**

**Title no: STG28372 in the Land Register of Scotland**

**Re: Property at 16 Abbey Mill, Stirling FK8 1QS**

**("The House")**

**The Parties:-**

**Adeline Kinsella, 16 Abbey Mill, Stirling FK8 1QS**

**("the Tenant")**

**Helen Boyd Mack, Saudi Archirodon Limited, PO Box 2987, Jeddah 21461, Saudi Arabia**

**("the Landlord")**

**Tribunal Members**

Rory A B Cowan, Chairperson  
Sara Hesp, Ordinary (Surveyor) Member

**Decision**

**The First-tier Tribunal for Scotland: Housing and Property Chamber (the tribunal), having carried out a further inspection of the House, determined that the work required by the RSEO had been completed and resolved to issue a Certificate of Completion.**

The decision of the tribunal was unanimous.

**Background**

The RSEO as it was originally required the Landlord to complete the following work within 3 months of the service of the RSEO although the requirement was varied to allow further time for the works to be completed:

- 1) To instruct a specialist Building Surveyor who should be a member of and registered with the Royal Institution of Chartered Surveyors to carry out a full and detailed survey of the roof area and roof structure above the Property to identify the cause of any water ingress (if any) and to advise on any remediation works as a result of their findings.
- 2) To carry out all works identified in the Building Surveyor's report in order to ensure that the Property is wind and watertight and in all other respects reasonably fit for human habitation.

### **Reasons for the Decision**

On 28 June 2019, the Ordinary/Surveyor Member of the tribunal carried out a further re-inspection of the House. Previous reinspections had taken place on 26 October 2018 and 5 February 2019.

The Landlord provided a report dated 29 June 2018 prepared by a Kevin Webster Chartered Surveyor which contained various findings and recommendations regarding remedial work to the House (the Report).

At reinspection on 5 February 2019 it was noted as follows:

- Work as recommended in the Report had been carried out.
- The guttering to the right-hand side of the dormer window had been replaced and reconfigured.
- Additional flashing had been put in the path of the water flow.
- There was some staining in the internal ceilings.
- No adverse moisture content was noted with a damp meter.

As a result of the further work and the findings at reinspection, the RSEO was varied further to allow reinstatement work to the House and the period extended to 31 May 2019.

At re-inspection on 28 June 2019 it was noted as follows:

- Redecoration of the ceiling within the House had been carried out.
- Some very faint staining was evident on the internal ceiling of the office and the built-in wardrobe in the bedroom.
- The Tenant also confirmed that there had been no further evidence of water ingress.

Thereafter the re-inspection report was issued to the parties for comment. No further comments were received from either the Landlord or the Tenant.

As a result of the findings on 5 February 2019 and 28 June 2019. The Tribunal is of the view that the Landlord has therefore completed all the works required by the RSEO.

### **Right of Appeal**

**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.**

R Cowan

Signed:

 Rory A B Cowan

Date:

1 October 2019

**Chairperson**