

Housing and Property Chamber
First-tier Tribunal for Scotland



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

Certificate of Completion of Work under Section 60 (5) (b) of the Housing (Scotland) Act 2006

HPC ref: RP/15/0031

Re 8 Howgate Street, Dumfries, DG2 7AE being the subjects registered in the Land Register of Scotland under title number DMF 559 ('the Property')

The Parties:-

Mr Andrew Tolmie, 8 Howgate Street, Dumfries, DG27AE ('The Tenant')

Mr Victor Singh, residing at Beechwoodbank, Nith Bank, Dumfries, DG1 2RZ ('The Landlord')

Certificate of Completion

The First-tier Tribunal for Scotland (Housing and Property Chamber) hereby certifies that the work required by the Repairing Standard Enforcement Order relative to the Property dated 10th March 2017 has been completed. Accordingly the said Repairing Standard Enforcement is 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.

These presents signed at Kilwinning on 26TH November 2018 by Martin J. McAllister, Solicitor, Legal Member of the Housing and Property Chamber of the First-tier Tribunal for Scotland before Kayleigh Guthrie, witness, 83 Main Street, Kilwinning KA13 6AN.

Mr Martin McAllister

Ms Kayleigh Guthrie

Housing and Property Chamber First-tier Tribunal for Scotland



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

Determination: Statement relative to Certificate of Completion of work issued under Section 60 of the Housing (Scotland) Act 2006 (the 2006 Act).

Re 8 Howgate Street, Dumfries, DG2 7AE being the subjects registered in the Land Register of Scotland under title number DMF 559 ('the Property').

Case Reference: RP/15/0031

The Parties:-

Mr Andrew Tolmie, 8 Howgate Street, Dumfries, DG27AE ("The Tenant")

Mr Victor Singh, residing at Beechwoodbank, Nith Bank, Dumfries, DG1 2RZ ('The Landlord')

Tribunal Members: Martin J. McAllister, Legal Member and Donald Wooley. Chartered Surveyor, Ordinary Member.

Background:

1. A repairing standard order (RSEO) was made in respect of the Property on 13th May 2015.
2. This was subsequently varied on a number of occasions to allow the Landlord more time to complete the works required.
3. The tenancy has been lawfully terminated.
4. The Ordinary Member inspected the Property on 26th April 2018 and 26th July 2018.
5. All matters required by the repairing standard order had been completed with the exception of the production of a suitable electrical installation condition report (EICR).
6. The landlord produced an EICR dated 19th November 2018 and the Tribunal determined that this was in acceptable terms.

The tribunal considered matters, determined that it was satisfied that the work required by the RSEO had been completed and that it was appropriate to issue the Certificate of Completion in terms of Section 60 of the 2006 Act.

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.

Mr Martin McAllister

Martin J. McAllister, Solicitor,
Legal Member of the Housing and
Property Chamber of the First-tier
Tribunal for Scotland.
26th November 2018