

**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(5)(b)('the Act')

Chamber Ref: FTS/HPC/RP/18/0623

Property at 3 Cobblebrae Crescent, Bainsford, Falkirk FK2 7QW

Land Register Title Number STG 25485

('The Property')

The Parties:

Miss Tracy Ratchford, former tenant of 3 Cobblebrae Crescent, Bainsford, Falkirk FK2 7QW

('the Tenant')

Mr Jonathan Clough, c/o Liddle and Anderson (Managing Agent), 2 Market Street, Bo'ness EH51 9AD

('the Landlord')

The First-tier Tribunal for Scotland (Housing and Property Chamber) hereby certifies that the work required by the Repairing Standard Enforcement Order ('RSEO') relative to the Property dated 3rd October 2018 has been completed. Accordingly, the said RSEO is now 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 thirty 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 only are executed by Joseph Christopher Hughes, Solicitor Advocate, Legal Member of the Housing and Property Chamber of the First-tier Tribunal for Scotland at Glasgow on 29th November 2018 before Ian Mark McClelland, Solicitor, c/o J C Hughes Solicitors, 1028 Tollcross Road, Glasgow.

J C Hughes

Signed...

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[Joseph C Hughes, Legal Chair of HPC]

I M McClelland

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[Ian Mark McClelland, Witness]

Housing and Property Chamber
First-tier Tribunal for Scotland



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

STATEMENT OF REASONS for Certificate of Completion of Work

Housing (Scotland) Act 2006 Section 24(1) ('the Act')

Chamber Ref: FTS/HPC/RP/18/0632

Property at 3 Cobblebrae Crescent, Bainsford, Falkirk FK2 7QW

Land Register Title Number STG 25485

('The Property')

The Parties:

Miss Tracy Ratchford, former tenant of 3 Cobblebrae Crescent, Bainsford, Falkirk FK2 7QW

('the Tenant')

Mr Jonathan Clough, c/o Little and Anderson (Managing Agent) 2 Market Street, Bo'ness EH51 9AD

('the Landlord')

The Tribunal Members:

Joseph C Hughes (Legal Member)

Donald Wooley (Ordinary Member/ Surveyor)

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 Repairing Standard Enforcement Order ('RSEO') relative to the Property, dated 3rd October 2018, and taking into account the documentation submitted to the Tribunal, determined that the Landlord has complied with the terms of the RSEO and resolved to issue a Certificate of Completion to the effect of discharging the RSEO.

The Tribunal's Decision is unanimous.

Reasons :

1. Reference is made to the RSEO which required the Landlord to carry out the works specified therein within one month from the date of service of the RSEO.

2. The RSEO required the Landlord to:-

- (i) To instruct a SELECT or NICEIC electrician to carry out a full inspection of the electrical installation and apparatus throughout the Property and to repair or renew any parts which require to be renewed or repaired to ensure the installation and apparatus is fully functioning and meet current regulatory standards and provide a EICR to the tribunal;
- (ii) To repair or renew the gate from the public road to the driveway of the property, ensuring that the gate is fully operational and in good working order;
- (iii) To complete the current installation of the kitchen ensuring that the fittings are fully functional, operational and in good working order;
- (iv) To repair or renew the radiator in the bathroom and ensure that it is fully functional and operational;
- (v) To renew or replace as necessary the shower cabinet/base within the bathroom ensuring that the unit is completely watertight, fully functional and in good working order; and
- (vi) To replace or renew the broken and badly damaged cupboard door in the rear bedroom cupboard.

3. The Ordinary Member carried out a re-inspection of the Property on 19th November 2018 and prepared a Report dated 19th November 2018. Mrs S Clough, the wife and representative of the Landlord, and Annelese Ronalson of Liddle and Anderson, the Managing Agent, were in attendance. A copy of the re-inspection Report is annexed hereto.

A copy of the Report was thereafter sent to the Landlord. Mrs Cough responded indicating that the Landlord agreed with the Report and did not seek an oral hearing. Her response was dated 21st November 2018 and was received on 26th November 2018.

4. The re-inspection visit disclosed that the works specified in the RSEO had been completed. There are no repairs or significant issues outstanding in terms of the RSEO.

5. The Tribunal resumed consideration of the Application and determined that in view of the re-inspection Report and the supporting documentation from the Landlord, it was not necessary to hold a further hearing. The Tribunal determined to issue a Certificate of Completion in terms of Section 60 of the Housing (Scotland) Act 2006 to the effect of discharging the said RSEO.

Right of Appeal:

6. In terms of Section 46 of the Tribunals (Scotland) Act 2014, a Landlord, Tenant or Third Party Applicant aggrieved by the Decision of the Tribunal may seek permission to 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.

Effect of Section 63:

7. 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. Where the Appeal is abandoned or finally determined by confirming the Decision, the Decision and the Order will be treated as having effect from the day on which the Appeal is abandoned or so determined.

J C Hughes

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‘Joseph Christopher Hughes’

Legal Member and Chairperson

Housing and Property Chamber

Dated 29th November 2018