

Housing and Property Chamber
First-tier Tribunal for Scotland



Certificate of Completion of Work under Section 60 of the Housing (Scotland) Act 2006 as amended (“the Act”)

Chamber Ref: FTS/HPC/RP/18/0231

The Property:

46, Fort Street, Ayr KA7 1DE being All and Whole: (I) 2 storey house at 46 Fort Street, Ayr, part of the subjects referred to in Disposition in favour of William Auld, recorded in the Division of the General Register of Sasines applicable to the County of Ayr on 12 November 1902 and (II) offices at 48 Fort Street, Ayr, referred to in Disposition in favour of Ayr Tyre Factors Limited, recorded in the said Division of the General register of Sasines on 4 January 1962.

The Parties:-

Mr Douglas Swan, residing at 46 Fort Street, AyrKA7 1DE (applicant and former tenant)

and

Mrs Sally Ward, Ward Properties, Allestree Mews, Southwood, Troon KA10 7EL, per her agent Mr Colin Duck, Solicitor, The McKinstry Company, Queen’s Court House, 39 Sandgate, Ayr KA7 1BE (landlord)

Decision:

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) hereby certifies that the work required by the Repairing Standard Enforcement Order (“RSEO”) relative to the Property dated 9 April 2018 as subsequently varied by the tribunal has been completed.

The said RSEO relative to the property is discharged.

Reasons:

Following a further re-inspection of the property by the surveyor member on 19 September 2019 a report of that date was sent to the landlord. The report is attached hereto as Schedule 1. The report indicated that the tenant had vacated the property which had been the subject of a general scheme of refurbishment and that all of the

repairs detailed in the RSEO appeared to have been carried out. By letter dated 10 October 2019 the landlord confirmed her agreement with the conclusions of the report.

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.

In terms of Section 63 of the Act, 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 in this and the previous page are subscribed as follows:

D Preston

Chairing Member

R Lee

Witness signature

RONALD LEE

Witness name

GLASGOW

Place of signing

GLASGOW TRIBUNALS CENTRE

Witness address

20 YORK STREET
GLASGOW

30.10.19.

Date of signing

W2 8GT