

Housing and Property Chamber
First-tier Tribunal for Scotland



Certificate of completion of work

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

Under section 60 of the Housing (Scotland) Act 2006

Case Reference Number: FTS/HPC/RP/17/0070

Re: 20A Cowal Drive, Linwood, Paisley PA3 3JW ("the house")

Land Register Title No: REN117117

The Parties:-

Mr Gary Hamlyn, residing at the house ("the tenant")

**Mr William Brownhill and Mrs Andrea Brownhill, 12A Baywillow Court,
Cambuslang, Glasgow G72 7AD ("the landlords")**

Tribunal Members – Sarah O'Neill (Chairperson); Sara Hesp (Ordinary Member)

CERTIFICATE OF COMPLETION

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 issued by the tribunal on 26 July 2017 and varied on 28 February 2018 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 printed on this and the preceding page are executed by Sarah O'Neill, solicitor, Chairperson of the First-tier Tribunal (Housing and Property Chamber), at Glasgow on the third day of May 2018 before this witness:

_____ witness

Sarah O'Neill

Chairperson

Laura Wardlaw name in full

20 York Street Address

Glasgow

G2 8GT

Housing and Property Chamber First-tier Tribunal for Scotland



Statement relative to Certificate of Completion of Work issued by the First-tier Tribunal for Scotland (Housing and Property Chamber) ('the tribunal')

Under section 60 of the Housing (Scotland) Act 2006

Case Reference Number: FTS/HPC/RP/17/0070

Re: 20A Cowal Drive, Linwood, Paisley PA3 3JW ("the house")

Land Register Title No: REN117117

The Parties:-

Mr Gary Hamlyn, residing at the house ("the tenant")

Mr William Brownhill and Mrs Andrea Brownhill, 12A Baywillow Court, Cambuslang, Glasgow G72 7AD ("the landlords")

Tribunal Members – Sarah O'Neill (Chairperson); Sara Hesp (Ordinary Member)

1. The tribunal issued a Repairing Standard Enforcement Order (RSEO) in respect of the house on 26 July 2017.
2. The RSEO required the landlords to:
 1. Secure the bathroom sink to the wall so that it is in a reasonable state of repair and in proper working order.
 2. Either a) install a gas central heating system throughout the house or b) reinstate the electrical panel heaters throughout the house, so that the installations in the house for space heating and heating water are in a reasonable state of repair and in proper working order.
3. After either a) a gas boiler and central heating system have been installed or b) the electrical panel heaters have been reinstated, provide an up to date Electrical Installation Condition Report (EICR) in respect of the house by a suitably qualified and registered SELECT or NICEIC contractor, or a member of NAPIT, showing that all electrical installations and fixtures and

fittings have been checked and are working safely, following the changes made to the heating system.

4. If a gas boiler and central heating system was installed, provide an up to date gas safety certificate in respect of the house by a Gas Safe registered engineer, showing that all installations and appliances have been checked and are working safely.

The tribunal ordered that the works specified in the RSEO must be carried out and completed within the period of **3 months** from the date of service of the RSEO.

3. The ordinary (surveyor) member of the tribunal carried out a re-inspection of the house on 13 November 2017. She found that item 1 of the RSEO had been completed, but that the other items remained outstanding. With regard to item 2 of the RSEO, she found that work was underway to install a gas central heating system: a gas boiler had been installed in the cupboard in the bedroom, and radiators had been installed in the hallway and the living room. The system still required to be inspected by Ideal and the Scottish Government in order to be signed off. Regarding items 3 and 4 of the RSEO, she noted in her re-inspection report that no Electrical Installation Condition Report (EICR) or gas safety certificate had been lodged with the tribunal.
4. Following the re-inspection, a Building Regulations Compliance Certificate and a Minor Electrical Installation Works Certificate, both relating to the boiler installation, were received from the landlords. No EICR or gas safety certificate was received. The tribunal issued a direction to the landlords on 24 January 2018, explaining why they had not complied with items 3 and 4 of the RSEO, and requiring them to provide to the tribunal by 14 February 2018:
 - 1) an up to date Electrical Installation Condition Report (EICR) in respect of the house by a suitably qualified and registered SELECT or NICEIC contractor, or a member of NAPIT, showing that all electrical installations and fixtures and fittings have been checked and are working safely, following the changes made to the heating system.
 - 2) an up to date gas safety certificate in respect of the house by a Gas Safe registered engineer, showing that all gas installations and appliances, including all radiators within the house, have been checked and are working safely.
 - 3) a copy of any final inspection certificate or other paperwork received from Warmworks Scotland in respect of the house, confirming that the installation of the central heating system has been completed.

5. On 12 February 2018, a copy letter from Warmer Homes Scotland of the same date addressed to Mr Brownhill was received from the landlords. The letter confirmed that installed a new gas boiler and central heating system had been installed at the house, and that the work passed a final inspection by a Warmworks inspector on 7 December 2017. A copy of the letter is attached to this statement of reasons. The tribunal was therefore satisfied that item 2 of the RSEO has been completed.
6. On the same date, an email was received from Mrs Brownhill, attaching:
 - a) a copy of a gas safety certificate in respect of the house by a Gas Safe registered engineer, Jamie McBride, Glasgow, dated 8 February 2018.
 - b) a copy of an EICR in respect of the house by Stephen Leonard, Sparktech, Paisley also dated 8 February 2018.
7. The tribunal noted that in the gas safety certificate dated 8 February 2018, the gas engineer noted that there is "no bonding at gas meter", and that warning advice had been issued about this. He stated that the bonding needed to be updated. The warning issued by the gas engineer indicated that the gas installation was not working safely as at the date of his inspection.
8. The Minor Electrical Installation Works Certificate in respect of the house dated 29 November 2017 also stated that the "D/B" needs upgrading, and the tribunal took this to mean that the distribution board requires modernisation. This appeared to be identified in the certificate as a C2 issue, which was potentially dangerous, and required urgent remedial action.
9. The tribunal also noted that the electrical contractor who provided the EICR dated 8 February 2018 did not appear to be a registered SELECT or NICEIC electrical contractor, or a member of NAPIT, as set out in the RSEO. The landlords had not therefore fully complied with the RSEO. The tribunal therefore varied the RSEO on 28 February 2018 to extend the period for the completion of the works until 13 April 2018.
10. On 18 April 2018, an EICR dated 9 April 2018 in respect of the house, produced by a registered NICEIC contractor, was received from the landlords. This stated that the electrical installation was satisfactory, and contained no C1 or C2 recommendations. A copy of the EICR is attached to this statement of reasons. On the same date, a gas safety certificate produced by a Gas Safe registered engineer dated 13 April 2018 in respect of the property was received from the landlords. This stated that the gas installation, including the equipotential bonding, was satisfactory. A copy of the gas safety certificate is also attached to this statement of reasons.

11. The tribunal therefore determined that the works required by the RSEO have been completed satisfactorily, and that the appropriate Certificate of Completion in terms of section 60 of the Housing (Scotland) Act 2006 should be issued.

Rights of Appeal

12. 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.

13. 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.

Signed... Sarah O'Neill
Sarah O'Neill, Chairperson

.....Date...3/5/18.....

This is the gas safety certificate dated 13 April 2018 referred to in the foregoing statement dated 3 May 2018

Serial No:
10004763

13 APR 2018

LANDLORD/HOMEOWNER GAS SAFETY RECORD

To confirm the validity of the Registered Gas Engineer please contact Gas Safe on 0800 408 5500 or www.gassaferegister.co.uk

This form allows for the recording of results of checks as defined by the Gas Safety (Installation and Use) Regulations. Information recorded on this form does not confirm that the installation was installed by a Gas Safe registered business or that the installation complies with relevant Building Regulations. A detailed internal inspection has not been undertaken. Chimneys/flues/boilers were visually checked for adequate evacuation of combustion products.



DETAILS OF REGISTERED BUSINESS

Jamie McBride Plumbing Heating & Gas Ltd
 Gas Safe Reg. No: 562106
 52 Cunningham Drive,
 Glasgow, G46 6ER
 Tel. No: 07850 582 701

JOB ADDRESS

Name: GARY HAMILTON
 Address: 20A CORAL DRIVE
 PA3 3TW
 Tel. No: 07912610013
 Is Accommodation Rented? (Y/N) Y

LANDLORD/AGENT ADDRESS

Name: SIMON BALWITIL
 Address: 12 BAWWILLOW ROAD
 CAMBUSLANE
 Tel. No: 07912610013
 No. Of Appliances Tested: 1

Gas Installation Framework: Satisfactory Visual Condition (Y/N) Y Emergency Control Accessible (Y/N) Y Satisfactory Gas Tightness Test (Y/N) Y Equipotential Bonding Satisfactory (Y/N) Y

Appliance Location		Appliance Make		Appliance Model		Appliance Type		Type of Flue (OF/RS/FL)	Landlords Appliance (Y/N)	Appliance Inspected (Y/N)
1	BEDROOM	IDEAL	LOGIC	COMB 30	COMB	COMB	RS	Y	Y	
2										
3										
4										
5										

Inspection Details					Combustion Analyser Reading			CO Alarm		
Operating Pressure in mbar and or Heat Input in kW/lt/h	Ave Safety Devices Working? (Y/N)	Satisfactory Ventilation? (Y/N)	Flue Visual Condition (Pass/Fail/NA)	Flue Performance Check (Pass/Fail/NA)	CO: CO2 Ratio	CO PPM	Appliance Serviced (Y/N)	Appliance Safe To Use (Y/N)	Approved CO Alarm Fitted? (Y/N)	Does The CO Alarm Work? (Y/N)
2.10	Y	Y	PASS	PASS	0.0013	117	N	Y	Y	Y
2										
3										
4										
5										

Defect(s) Identified		Warning Advice Issued? (Y/N)		Remedial Work Undertaken		Details Of Work Required	
1							
2							
3							
4							
5							

Received By: [Signature] Date: 13/4/18

Print Name: Simon Balwittel Issued By: [Signature] Signature: [Signature] ID Card No: 562106

Date: 13/4/18

The Next Gas Safety Check Must Be Completed By: 13/4/19



APPROVED CONTRACTOR

Contractor's Reference Number

CRN/

TYPE OF INSTALLATION

Tick appropriate box

Domestic dwelling

Highway Installation

Leisure Accommodation Vehicle

Modular dwelling

Transportable unit

Issued in accordance with British Standard 7671 - Requirements for Electrical Installations by an Approved Contractor or Conforming Body enrolled with NICEIC, Warwick House, Houghton Hall Park, Houghton Regis, Dunstable LU5 5ZX.

This is the EICR dated 9 April 2018
related to in the foregoing statement of works
date 23 May 2018.

ELECTRICAL INSTALLATION CONDITION REPORT

FOR SMALL INSTALLATIONS NOT EXCEEDING 100 A

This report is not valid if the serial number has been defaced or altered
DPN7/0655628

DETAILS OF THE CLIENT

Client: **STUART BEAUMHILL**

Address: **12 Baywillow Cres**

Postcode: **G72 7AD**

PURPOSE OF THE REPORT

Purpose for which this report is required:
LANDLORD REPORT

Date(s) on which inspection and testing were carried out:
9th April 2018

DETAILS OF THE INSTALLATION

Occupier: **OCCUPIED**

Address: **20a CORAL DRIVE LINDOOD**

Postcode: **PA3 3TU**

Estimated age of the electrical installation: **20** years

Evidence of alterations or additions: **N/A** If yes, estimated age

Date of previous inspection: **UNSPECIFIED** Electrical Installation Certificate No or previous Periodic Inspection or Condition Report No:

Records of installation: **N/A** Records held by: **UNSPECIFIED**

EXTENT OF THE INSTALLATION AND LIMITATIONS ON THE INSPECTION AND TESTING

Extent of the electrical installation covered by this report:

Full Electrical Circuits + Equipment

Agreed limitations including the reasons, if any, on the inspection and testing:

Agreed with: _____

Operational limitations including the reasons (see page No. _____)

The inspection and testing have been carried out in accordance with BS 7671, as amended. Cables concealed within trunking and conduits, or cables and conduits concealed under floors, in inaccessible roof spaces and generally within the fabric of the building or underground, have not been visually inspected unless specifically agreed between the client and inspector prior to the inspection.

SUMMARY OF THE CONDITION OF THE INSTALLATION

General condition of the installation (in terms of electrical safety):

The General Condition is Good.

Summary of the condition of the installation continued on additional pages? No Yes Specify page No(s):

Overall assessment of the installation: **SATISFACTORY / UNSATISFACTORY***

Delete as appropriate

* An 'Unsatisfactory' assessment indicates that dangerous (CODE C1) and/or potentially dangerous (CODE C2) conditions have been identified, or that further investigation without delay (T1) is required

This report should have been reviewed and confirmed by the registered Qualified Supervisor of the Approved Contractor responsible for issuing it. (See declaration on page 2)

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APPROVED CONTRACTOR

ELECTRICAL INSTALLATION CONDITION REPORT FOR SMALL INSTALLATIONS NOT EXCEEDING 100 A

OBSERVATIONS AND RECOMMENDATIONS FOR ACTIONS TO BE TAKEN

Referring to the attached schedules of inspection and test results, and subject to the limitations at page 1:

There are no items adversely affecting electrical safety or the following observations and recommendations for action are made

Item No 1 Observations include reference location as appropriate

Code †

3.6 Bond under floor not accessible C3

Additional pages? No Yes Specify page No(s):

† One of the following codes, as appropriate, has been allocated to each of the observations made above to indicate to the person(s) responsible for the installation the degree of urgency for remedial action:

Code C1 'Danger present'. Risk of injury. Immediate remedial action required.

Code C2 'Potentially dangerous'. Urgent remedial action required.

Code C3 'Improvement recommended'.

Code F1 'Further investigation required without delay'.

Please see the reverse of this page for guidance regarding the Classification codes.

Immediate remedial action required for items:

Urgent remedial action required for items:

Further investigation required without delay for items:

Improvement recommended for items:

3.6

This report is not valid if the serial number has been defaced or altered

DPN7/0655628

DECLARATION

I/We, being the person(s) responsible for the inspection and testing of the electrical installation (as indicated by my/our signatures below), particulars of which are described on page 1, having exercised reasonable skill and care when carrying out the inspection and testing, hereby declare that the information in this report, including the observations and the attached schedules, provides an accurate assessment of the condition of the electrical installation taking into account the stated extent of the installation and the limitations on the inspection and testing.

I/We further declare that in my/our judgement, the overall assessment of the installation in terms of its suitability for continued use is SATISFACTORY / UNSATISFACTORY* Delete as appropriate

at the time the inspection was carried out, and that it should be further inspected as recommended within the time interval given below.

* As 'Unsatisfactory' assessment indicates that dangerous (CODE C1) and/or potentially dangerous (CODE C2) conditions have been identified, or that further investigation without delay (FI) is required

INSPECTION, TESTING AND ASSESSMENT BY:

Signature:

Name: Jason Goorey

Position: Electrician

Date: 9/14/2018

REPORT REVIEWED AND CONFIRMED BY:

Signature:

Name: GAW MCCANN

(CAPITALS)

(Registered Qualified Supervisor for the Approved Contractor)

Date: 9/14/2018

NEXT INSPECTION

I/We recommend that this installation is further inspected and tested after an interval of not more than:

(Enter interval in terms of years or months, as appropriate)

provided that any items which have been attributed a Classification code C1 (danger present) are remedied immediately and that any items which have been attributed a code C2 (potentially dangerous) or F1 (further investigation required without delay) are remedied or investigated respectively as a matter of urgency. Items which have been attributed a Classification code C3 should be improved as soon as practicable.

Please see the Guidance for Recipients on the Classification codes on the reverse of this page.



APPROVED CONTRACTOR

ELECTRICAL INSTALLATION CONDITION REPORT FOR SMALL INSTALLATIONS NOT EXCEEDING 100 A

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DPN77/ 0655628

SCHEDULE OF INSPECTIONS

Item	Description	Outcome*	Item	Description	Outcome*	Item	Description	Outcome*
5.12	Provision of fire barriers, sealing arrangements and protection against thermal effects	✓	7.0	Current-using equipment (Permanently connected)	✓	9.0	Other special installations or locations - Part 7c	✓
5.13	Band II cables segregated/separated from Band I cables	✓	7.1	Condition of equipment in terms of IP rating	✓	9.1	List of all other special installations or locations, if any, present. (Record the results of any particular inspection and append separately).	N/A
5.14	Cables segregated/separated from communications cabling	✓	7.2	Equipment does not constitute a fire hazard	✓			
5.15	Cables segregated/separated from non-electrical services	✓	7.3	Enclosure not damaged/deteriorated so as to impair safety	✓			
5.16	Termination of cables at enclosures (extent of sampling indicated on page 1 of the report)	✓	7.4	Suitability for the environment and external influences	✓			
	• Connections soundly made and under no undue strain	✓	7.5	Security of fixing	✓			
	• No basic insulation of a conductor visible outside enclosures	✓	7.6	Cable entry holes in ceiling above luminaires, sized or sealed so as to restrict the spread of fire	✓			
	• Connections of live conductors adequately enclosed	✓		List number and location of luminaires inspected. (Separate page)	✓			
	• Adequately connected at point of entry to enclosure (glands, bushes etc.)	✓	7.7	Recessed luminaires (downlights)	N/A			
5.17	Condition of accessories including socket-outlets, switches and joint boxes	✓		• correct type of lamps fitted	N/A			
5.18	Suitability of accessories for external influences	N/A		• installed to minimise build-up of heat by use of fire rated fittings.	N/A			
5.19	Adequacy of working space / accessibility to equipment	✓		• insulation displacement box or similar	✓			
5.20	Single-pole devices for switching or protection in live conductors only	✓		• no signs of overheating to surrounding building fabric	✓			
				• no signs of overheating to conductor/terminations	✓			
6.0	Isolation and switching (isolation, switching off for mechanical maintenance and functional switching)	✓	8.0	Location(s) containing a bath or shower	✓			
6.1	In general	✓		• Additional protection by RCD not exceeding 30 mA	✓			
	• presence and condition of appropriate devices	✓		• for low voltage circuits serving the location	✓			
	• correct operation verified	✓		• for low voltage circuits passing through Zone 1 and Zone 2 not serving the location	✓			
6.2	For isolation and switching for mechanical maintenance only	✓	8.1	Where used as a protective measure, requirements for SELV or PELV are met	✓			
	• capable of being secured in the OFF position where appropriate	✓		Shaver sockets comply with BS EN 61558-2-5 formerly BS 3535	✓			
	• acceptable location - state if local or remote from equipment being controlled where appropriate	N/A		Presence of supplementary bonding conductors unless not required by BS 7671: 2008	N/A			
	• clearly identified by position and/or durable marking(s)	✓		Low voltage (e.g. 230 volts) socket-outlets sited at least 3 m from zone 1	N/A			
6.3	For isolation only	✓		Suitability of equipment for external influences for installed location in terms of IP rating	N/A			
	• warning label(s) posted in situations where live parts cannot be isolated by the operation of a single device	N/A		Suitability of equipment for installation in a particular zone	N/A			

*Note: Older installations designed prior to BS 7671:2008 may not have been provided with RCDs for additional protection

SCHEDULES AND ADDITIONAL PAGES

Schedule of Inspections:	Page(s) No 4, 5	Additional pages, including data sheets for additional source(s):	Page No(s)
Special installations or locations:	Page No(s)	Schedule of Circuit Details for the Installation:	Page No(s) 6
		Schedule of Test Results for the Installation:	Page No(s) 6

SCHEDULE OF ITEMS INSPECTED PARTICULAR TO A LEISURE ACCOMMODATION VEHICLE OR A TRANSPORTABLE UNIT

* All boxes must be completed
 ✓ indicates Acceptable condition
 N/A indicates a Limitation
 Further investigation required without delay state F1
 Unacceptable condition state C1 or C2
 Improvement recommended state C3
 (to determine whether danger or potential danger exists)
 Provide additional comment where appropriate on attached numbered sheets.
 C1, C2, C3 and F1 coded items to be recorded in Page 2 of the report

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Page 5 of 5

Reference 10646543

Mr William Brownhill
12 Baywillow Court
Glasgow
G72 7AD

12th February 2018

Dear Mr Brownhill,

Warmer Homes Scotland

This letter is to confirm that Warmer Homes Scotland installed the following measures to your rental property at 20a Cowal Drive, Linwood, Paisley, PA3 3JW with your permission on 20th October 2017 and 23rd October 2017 on behalf of your qualifying tenant, Mr Gary Hamlyn.

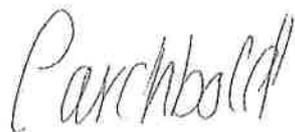
Energy Efficient glazing/doors
Gas Fired Condensing boiler
Heating Secondary System
Smoke Alarm
CO Detector
Central Heat Pipe Enclosure
Heating System Insulation
Heating Hot Water and AC

The work passed a final inspection by a Warmworks inspector on 7th December 2017 and is covered under warranty for the first 12 months.

If you would like to discuss the above, please call us on 0808 156 9568.

In the meantime, if you have any further questions regarding this information then please do not hesitate to contact us on 0808 156 9568 or alternatively enquiries@warmworks.co.uk

Yours sincerely



Customer Service Manager
Warmer Homes Scotland

This is the letter dated 12 February 2018 referred to in the Gregory statement of reasons dated 3 May 2018

315/18