

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

Chamber Ref: PRHP/RP/16/0190

Title no/Sasines Description:

**All and Whole the flatted dwelling house known as 10/14 Murdoch Terrace, Edinburgh EH11 1AZ being the south, back house on the third flat forming part and portion of the tenement 10 Murdoch Terrace aforesaid all as the said tenement is more particularly described in Disposition by Alexander McIntosh Anderson to George Bee dated 29 April and recorded in the Division of the General Register of Sasines for the County of Edinburgh both months of the year Nineteen Forty Seven
("The Property")**

The Parties:-

**Pietro Passiatore, residing at 10/14 Murdoch Terrace, Edinburgh EH11 1AZ
("the Tenant")**

**Stoneline Investments Limited, 239 Eskhill, Penicuik, Midlothian, Scotland,
EH26 8DF
("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 Property dated 16 August 2016 has been completed. Accordingly, the said Repairing Standard Enforcement Order relative to the property has been discharged.

A landlord, tenant or third party applicant aggrieved by the decision of the tribunal may seek permission to appeal from the First-tier Tribunal on a point of law only within 30 days of the date the decision was sent to them.

In witness whereof these presents type written on this and the preceding page(s) are executed by John Miller McHugh, solicitor, 65 Haymarket Terrace, Edinburgh, chairperson of the tribunal at Edinburgh on 26 April 2017 before this witness:-

_____ witness

_____ chairperson

JOHN MILLER MCHUGH name in full

65 HAYMARKET TERRACE Address

EDINBURGH EH12 5HD

Housing and Property Chamber

First-tier Tribunal for Scotland



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

STATEMENT OF DECISION: Housing (Scotland) Act 2006 Section 24 (1)

Chamber Ref: PRHP/RP/16/0190

10/14 Murdoch Terrace, Edinburgh EH11 1AZ (“The Property”)

The Parties:-

Pietro Passiatore, residing at 10/14 Murdoch Terrace, Edinburgh EH11 1AZ (“the Tenant”)

**Stonelime Investments Limited, 239 Eskhill, Penicuik, Midlothian, Scotland, EH26 8DF
 (“the Landlord”)**

Tribunal Members

**John McHugh, Chairperson
Susan Napier, 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 Repairing Standard Enforcement Order dated 16 August 2016 (“the RSEO”) had been completed and resolved to issue a Certificate of Completion of Work.

The decision of the Tribunal Members was unanimous.

Background

The RSEO required the Landlord to complete the following work within 14 weeks of service of the RSEO:

To repair all damage caused to the House by the ingress of water and to replaster and redecorate in order that the House is free of dampness and in reasonable decorative order.

Reasons for the Decision

On 23 January 2017, the Surveyor Member carried out a re-inspection of the Property.

At the re-inspection it was observed that the Property was in good condition with all works completed. All areas affected by water ingress had been replastered. The whole flat had been redecorated.

The Landlord's agents have made representations to the effect that all works required by the RSEO have been completed. The Tenant has made written representations disagreeing that this is the case. The Tenant has complained of an ineffectively operating extractor fan and of insulation problems. These problems do not appear to be related to the matters which were the subject of the original application or the RSEO. Accordingly, we may not take them into account. If the Tenant wishes to complain regarding these matters, he would require to do so by submitting a fresh application to the Tribunal.

Accordingly, we find that all works required by the RSEO have been completed.

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.

Signed
John McHugh

Date26 April 2017.....

Chairperson