

# Housing and Property Chamber

## First-tier Tribunal for Scotland

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### **STATEMENT OF DECISION of the First-tier tribunal for Scotland (Housing and Property Chamber) under the Housing (Scotland) Act 2006**

**Chamber Ref:** Reference number:

**Property:** 11/3 (1F2) Wardieburn Street West, Edinburgh, EH5 1EB (“The property”)

**Title No:** MID119545

**Parties:**

Toni Gamble-White formerly residing at 11/3 (1F2) Wardieburn Street West, Edinburgh, EH5 1EB (“the Applicant”)

and

Rehana Shafqat, 50 Crewe Crescent, Edinburgh, EH5 2JP (“the Respondent”)

**Tribunal Members:**

**Paul Doyle (Legal Member)**

**Andrew McFarlane (Ordinary Member)**

**Unanimous Decision of the Tribunal**

The First-tier tribunal for Scotland (Housing and Property Chamber) (‘the tribunal’) certifies that the work required by the Repairing Standard Enforcement Order relative to the Property made on 1 December 2021 has been completed. Accordingly, the said Repairing Standard Enforcement Order relative to the property is discharged.

**Reasons for decision**

1. On 1 December 2021 the First-tier tribunal for Scotland (Housing and Property Chamber) issued a decision requiring the Landlord to comply with the repairing standard enforcement order made by the tribunal on 1 December 2021.

2. The Repairing Standard Enforcement Order (“RSEO”) required the Landlord to

(i) Install interlinked smoke, heat and CO detectors within the property, ensuring that they are fully functional and located and powered in accordance with the Housing (Scotland) Act 2006 (Modification of the Repairing Standard) Regulations 2019.

(ii) Carry out all remedial works to the electrical system and then instruct an Electrical Installation Condition Report (EICR) and Portable Appliance Test (PAT) on the entire electrical installation of the property and all electrical appliances and equipment supplied by the landlord to be carried out by a suitably qualified and registered SELECT or NICEIC electrical contractor. to repair or renew any areas categorised C1 or C2 to ensure the installation and apparatus is fully functioning and meets current regulatory standards. Thereafter to provide the First-tier Tribunal for Scotland (HPC) with an unqualified report from a suitably qualified and registered SELECT or NICEIC electrical contractor confirming the works are completed.

(iii) Repair or replace the gas central heating boiler and then provide the First-tier Tribunal for Scotland (HPC) with a Gas Safety Record from a suitably qualified, and Gas Safe registered heating engineer on the safety of the gas central heating boiler and all other gas appliances in the property, &, if necessary, carry out any further repairs or replacement to ensure that all gas appliances are safe to use.

All within 3 months of service of the RSEO on the Landlord.

3. By email dated 25 April 2022 the respondent sent a satisfactory up to date EICR, a satisfactory gas safety certificate, and receipts for the installation of interlinked smoke, heat, and CO detectors within the property to the tribunal.

4. On 27 April 2022 both tribunal members visited the property by prior arrangement to re-inspect the property. Tribunal members could see that a new gas boiler had been installed, that a new electricity consumer box had been fitted and that interlinked smoke, heat and CO detectors had been installed within the property.

5. The tribunal is now satisfied that the work required by the RSEO has been completed.

6. The tribunal therefore decided to issue a certificate of completion of works in terms of s. 60 of the Housing (Scotland) Act 2006.

7. 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.

8. 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  
Legal Memb

27 April 2022

# Housing and Property Chamber First-tier Tribunal for Scotland



**First-tier Tribunal for Scotland (Housing and Property Chamber) under Sections 14 & 22(1A) of the Housing (Scotland) Act 2006**

## **CERTIFICATE OF COMPLETION**

**Under Section 60 of the Housing (Scotland) Act 2006**

**Chamber Ref:** Reference number: FTS/HPC/RP/21/2460

**Property:** 11/3 (1F2) Wardieburn Street West, Edinburgh, EH5 1EB ("The property")

**Title No:** MID119545

### **Parties:**

Toni Gamble-White formerly residing at 11/3 (1F2) Wardieburn Street West, Edinburgh, EH5 1EB ("the Applicant")

and

Rehana Shafqat, 50 Crewe Crescent, Edinburgh, EH5 2JP ("the Respondent")

### **Tribunal Members:**

**Paul Doyle (Legal Member)**

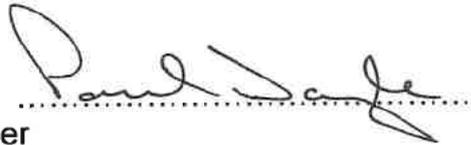
**Andrew McFarlane (Ordinary Member)**

### **Unanimous Decision of the Tribunal**

The First-tier tribunal for Scotland (Housing and Property Chamber) ("the tribunal") certifies that the work required by the Repairing Standard Enforcement Order relative to the Property made on 1 December 2022 has been completed. Accordingly, the said Repairing Standard Enforcement Order relative to the property has been 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. IN WITNESS WHEREOF these presents consisting of this and the preceding page are signed by me, Paul Doyle, at Edinburgh on 27 April 2022 before Emma Doyle, residing at 24 Haddington Place, Edinburgh

Signed .....  .....  
Legal Member

27 April 2022

Witness.....  .....