

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Determination: Housing (Scotland) Act 2006: Sections 26 and 27

Tribunal Ref: FTS/HPC/RP/24/4421

Property: Flat 2/2, 35 Gogar Street, Glasgow, G33 2JQ

Land Certificate Title Number: GLA103862

Parties

The Applicant: Mr Estsham Alam, residing at Flat 2/2, 35 Gogar Street, Glasgow, G33 2JQ (Former Tenant)

The Former Landlord: NS5 Ltd, 7 Bell Yard, London, WC2A 2JR

The Current Landlord: Eesa Kashif, Pineview Villa, Limerigg, Slamannan, Falkirk, FK1 3BZ

Tribunal Members: Martin J. McAllister (Legal Member) and Kingsley Bruce (Ordinary / Surveyor Member)

Decision

- (i) The tribunal determines that the Landlord has complied with the repairing standard enforcement order dated 15 July 2025.**
- (ii) The tribunal determines to issue a certificate in terms of section 60 (5) of the Housing (Scotland) Act 2006.**

Background

1. The Property was previously owned by a limited company, NS5 Ltd.
2. The Property was let to the Applicant who submitted an application stating that the Property did not meet the repairing standard set out Section 13 of the 2006 Act.

3. The Property was inspected on 23 May 2025 by the then allocated members of the First-tier Tribunal, Mr Crawford and Mr Bruce.
4. A Hearing was held after the inspection and it was determined that a repairing standard enforcement order be made in the following terms:

4.1 Repair or, if necessary, replace the gas cooker at the Property and complete any necessary associated works, said works to be carried out by a suitably qualified Gas Safe Engineer.

4.2 Instruct a suitably qualified Gas Safe Engineer to inspect, test and undertake such repairs as may be necessary to ensure that the heating system is in full working order, including replacement of missing Thermostatic Radiator Valves (TRVs).

4.3 Instruct a suitably qualified electrician, who should be a member of Select, NECEIC or other approved body, to undertake inspection and testing of the electrical installation at the Property and to provide an Electrical Inspection Condition Report (EICR), completing any works found to be necessary.

4.5 Repair or, if necessary, replace defective shower screen/seals/tiling around the bath ensuring that the installation is watertight, undertaking associated repairs including repair or replacement of damaged or defective flooring in the bath area, including re-instatement of floor coverings, to a satisfactory standard.

4.6 Undertake repairs to all windows as required including servicing, adjustment or replacement of closing mechanisms, replacement of panes affected by condensation between glazing, and ensure windows are in working order.

The Former Landlord was required to complete the works by 27 September 2025.

5. On 25 August 2025, the Applicant intimated that he had left the Property and that the tenancy had therefore come to an end.
6. Mr McAllister was allocated to be the Legal Member for the application in place of Mr Crawford.
7. The members of the tribunal arranged to reinspect the Property on 15 December 2025.

The Inspection on 15 December 2025

8. No access was provided to the Property. Non- production of the E.I.C.R was evidence that the Landlord had not complied with that part of the RSEO and the tribunal determined to serve notice of the failure to comply on the local authority since it had determined that the RSEO had not been complied with.
9. On 16 January 2026, Mr Kashif Naeem emailed the Tribunal and stated that he was representing the Current Landlord, Mr Eesa Kashif who had owned the

Property since 26 September 2025. He submitted a copy of the Title Sheet for GLA103862 to evidence the current ownership.

The Inspection on 16 March 2026

10. The tribunal inspected the Property on 16 March 2026 when access was afforded by Mr Naeem, the representative of the Current Landlord.
11. A reinspection report prepared by the ordinary member is attached and is referred to for its terms.
12. Prior to the inspection, an EICR dated 15 January 2026 had been submitted and the tribunal determined that it was in acceptable terms.
13. The reinspection report prepared by the ordinary member sets out the works which had been carried out in the Property.
14. The members of the tribunal were satisfied that the works required by the RSEO had been completed to a satisfactory standard.

Determination following upon the re-inspection on 16 March 2026

15. The tribunal determined that it should issue **a certificate in terms of Section 60 (5) of the 2006 Act.**

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.

Martin. J. McAllister

Martin J. McAllister,
Solicitor, legal member of
Tribunal.

20 April 2026

Re-Inspection: Flat 2/2, 35 Gogar Street, Glasgow, G33 2JQ

Reference: HPC/RP/24/4421

Circumstances:

The subject property was inspected on Monday 16 March 2026, By Mr Kingsley Bruce (Ordinary/Surveyor Member) and Mr Martin McAllister (Legal Member). Weather conditions were dry and overcast following a period of variable weather. The property was occupied, furnished, with fitted floorcoverings throughout. The inspection was undertaken of external elements of the property, from ground level, whilst standing within the curtilage or from the public highway adjacent and internally, whilst standing at floor level.

Access:

The Landlord was represented Mr Naeem, who provided access.

Requirements of the Repairing Standard Enforcement Order (RSEO) dated 15 July 2025:

4.1 Repair, or if necessary replace, the gas cooker at the Property and complete any necessary associated works, said works to be carried out by a suitably qualified Gas Safe Engineer.

4.2 Instruct a suitably qualified Gas Safe Engineer to inspect, test and undertake such repairs as may be necessary to ensure that the heating system is in full working order, including replacement of missing Thermostatic Radiator Valves (TRVs).

4.3 Instruct a suitably qualified electrician, who should be a member of Select, NECEIC or other approved body, to undertake inspection and testing of the electrical installation at the Property and to provide an Electrical Inspection Condition Report (EICR), completing any works

found to be necessary.

4.5 Repair, or if necessary replace, defective shower screen/seals/tiling around the bath ensuring that the installation is watertight, undertaking associated repairs including repair or replacement of damaged or defective flooring in the bath area, including re-instatement of floor coverings, to a satisfactory standard.

4.6 Undertake repairs to all windows as required including servicing, adjustment or replacement of closing mechanisms, replacement of panes affected by condensation between glazing, and ensure windows are in working order.

The Landlord was required to complete the works by 27 September 2025.

During the course of the inspection, the following works appeared to have been carried out:

- **The gas cooker is understood to be in proper working order.**
- **A Gas Safety Certificate had been provided to the Tribunal prior to inspection.**
- **An Electrical Installation Condition Report had been provided prior to the inspection.**
- **Repairs to sealant/tiling around the bath/shower had been undertaken and repairs to flooring, including floor coverings.**
- **Window handles/mechanism were found to be intact and in proper working order.**

Prepared by:

Kingsley Bruce

Ordinary (Surveyor) Member

First Tier Tribunal for Scotland- Housing and Property Chamber

14 April 2026

Windows



Bathroom

