

Housing and Property Chamber

First-tier Tribunal for Scotland



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

CERTIFICATE OF COMPLETION under section 60 of the Housing (Scotland) Act 2006

Chamber Ref: PRHP/RT/16/0327 and PRHP/RT/16/0366

Subjects at 78 Thurso Crescent, Dundee, DD2 4AW registered under Title Number ANG65721 (“the House”)

The Parties:-

Dundee City Council, Private Sector Services Unit, Dundee House, 50 North Lindsay Street, Dundee, DD1 1DU (“the Third Party Applicant”)

Lee Gordon, formerly residing at 78 Thurso Crescent, Dundee, DD2 4AW (“the former Tenant”)

Nigel Squire, having a place of business at Dundee Joinery Services, Unit 9, Angus Works, Tannadice Street, Dundee, DD3 7PT (“the Landlord”) whose agent is Baker Bradley Ltd, 211a Albert Street, Dundee, DD4 6QA (“the Landlord’s Agent”)

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 dated 3 March 2017 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 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 typewritten are executed by Ruth O’Hare, Legal Member of the Tribunal at Aberdeen on 11 July 2017 before this witness:-

A Toye

R O’Hare

Witness

Legal Member

Anna Toye, c/o Aberdeenshire Council,
Woodhill House, Westburn Road, Aberdeen

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Statement of Decision under section 60 of the Housing (Scotland) Act 2006

Chamber Ref: PRHP/RT/16/0327 and PRHP/RT/16/0366

Title: Subjects at 78 Thurso Crescent, Dundee, DD2 4AW registered under Title Number ANG65721

**Property at 78 Thurso Crescent, Dundee, DD2 4AW
("The House")**

The Parties:-

Dundee City Council, Private Sector Services Unit, Dundee House, 50 North Lindsay Street, Dundee, DD1 1DU ("the Third Party Applicant")

Lee Gordon, formerly residing at 78 Thurso Crescent, Dundee, DD2 4AW ("the former Tenant")

Nigel Squire, having a place of business at Dundee Joinery Services, Unit 9, Angus Works, Tannadice Street, Dundee, DD3 7PT ("the Landlord") whose agent is Baker Bradley Ltd, 211a Albert Street, Dundee, DD4 6QA ("the Landlord's Agent")

The Tribunal comprised:-

Mrs Ruth O'Hare - Legal Member
Mr Harry McLean - Ordinary Member

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) ('the Tribunal') unanimously determined that the works required by the Repairing Standard Enforcement Order ("RSEO") had been completed and resolved to issue a Certificate of Completion of Work.

Background

1. Reference is made to the decision of the Tribunal dated 3 March 2017 which determined that the Landlord had failed to comply with the duty imposed by section 14(1)(b) of the Act. The Tribunal accordingly made a Repairing Standard Enforcement Order requiring the Landlord to carry out the following works:-
 - a. Produce an electrical installation condition report by a suitably qualified person confirming that the electrical system within the house is in a safe condition and in proper working order;

- b. Carry out such works to the storage heaters throughout the house to ensure that the installations for heating are in a reasonable state of repair and in proper working order;
 - c. Install smoke and heat detectors in the house in compliance with the requirements of the revised Domestic Technical Handbook issued by the Scottish Government's Building Standards Division (Technical Handbooks 2013:- Domestic Fire); and
 - d. Repair or replace all damaged doors on the lower ground floor of the house to ensure they are in a reasonable condition and in proper working order.
2. On 2 June 2017 the Ordinary Member carried out a re-inspection of the house. A copy of the inspection report is attached herewith. It was noted that all of the works required by the order had been completed to a satisfactory standard. Further the Landlord had submitted a copy of the electrical installation condition report and a gas safety certificate which confirmed the safety of the installations within the property. Copies of these documents are also attached herewith.
 3. The re-inspection report was subsequently circulated to the Landlord and the Third Party Applicant. No responses were received. The Tribunal determined it had sufficient information to make a determination without the requirement for a further hearing.

Reasons for the decision

4. The Tribunal was satisfied having regard to the findings of the re-inspection and the documents submitted by the Landlord that the works required by the RSEO had been completed. The Tribunal therefore determined that a certificate of completion should be issued.
5. The decision of the Tribunal was unanimous.

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R O'Hare

Signed
Ruth O'Hare
Chairperson

10 July 2017