

# 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: FTS/HPC/RP/18/0656**

**Title No: MID40277**

**10/6 Sandport Way, Leith, Edinburgh EH6 6EA**  
**("The Property")**

**The Parties:-**

**Mr Magnus Davidson, 10/6 Sandport Way, Leith, Edinburgh EH6 6EA**  
**("the Tenant")**

**Ms Julia Stephenson, Heatherlea Cottage, Rowlet Bank, Castleside, Consett,**  
**County Durham DH8 9QT**  
**(represented by their agent D J Alexander, 1 Wemyss Place, Edinburgh EH3**  
**6DH**  
**("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 served on 5 November 2018 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 page are executed by Graham Harding, solicitor, 20 York Street, Glasgow, chairperson of the Tribunal at Perth on 31 January 2019 before this witness:-

G Harding

A J Honeyman

\_\_\_\_\_ witness

Chairperson

AMANDA JANE HONEYMAN name in full

7 WHITEFRIARS CL address

Perth, PH2 0PA

# **Housing and Property Chamber**

## **First-tier Tribunal for Scotland**

---



**First-tier Tribunal for Scotland (Housing and Property Chamber) 5<sup>th</sup>**

**Decision: Housing (Scotland) Act 2006 ("the 2006 Act"), Section 60**

**Chamber Ref: FTS/HPC/RP/18/0656**

**Title no: MID40277**

**10/6 Sandport Way, Leith, Edinburgh EH6 6EA  
("The Property")**

**The Parties:-**

**Mr Magnus Davidson, 10/6 Sandport Way, Leith, Edinburgh EH6 6EA  
("the Tenant")**

**Ms Julia Stephenson, Heatherlea Cottage, Rowlet Bank, Castleside, Consett,  
County Durham DH8 9QT  
(represented by their agent D J Alexander, 1 Wemyss Place, Edinburgh EH3  
6DH  
("the Landlord"))**

**Tribunal Members**

**Graham Harding (Legal Member)  
Robert Buchan (Ordinary Member)**

**DECISION**

1. The First-tier Tribunal for Scotland (Housing and Property Chamber) ('the Tribunal'), having taken account of the findings of the re-inspection on 4 January 2019 together with the reasons for the Decision of the Tribunal and the Repairing Standard Enforcement Order served on the Landlord on the 5<sup>th</sup> November 2018 determined that the Landlord has complied with the said Repairing Standard Enforcement Order.
2. The Tribunal issued a Certificate of Completion in terms of Section 60 of the Housing (Scotland) Act 2006.
3. The Decision of the Tribunal was unanimous.

**Findings in Fact**

4. The Landlord has taken down the ceiling in the lounge in the property and removed and replaced the defective drain. The ceiling has been made good and redecorated.

5. The Landlord has ensured that the house is wind and watertight and in all other respects reasonably fit for human habitation.
6. The house meets the repairing standard as specified in Section 13 of the 2006 Act.

#### Reasons for Decision

7. Reference is made to the full terms of (i) the Decision of the Tribunal and (ii) the Repairing Standard Enforcement Order both served on the Landlord on 5 November 2018.
8. Following the re-inspection of the property on 4 January 2019 by the Ordinary Member of the Tribunal it appeared that all of the works specified in the RSEO have been completed. The Tribunal therefore decided to issue a Certificate of Completion in terms of Section 60 of the 2006 Act on that basis.

**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.**

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.

G Harding

Graham Harding  
Legal Member and Chairperson

Date 31 January 2019