

**Housing and Property Chamber
First-tier Tribunal for Scotland**



Certificate of completion of work

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

Under section 60 of the Housing (Scotland) Act 2006

Case Reference Number: FTS/HPC/RP/18/3171

Re: U/L 6 Barbadoes Road, Kilmarnock KA1 1SY (“the house”)

Land Register Title No: AYR73655

The Parties:-

Mr Bobby Brown, residing at the house (“the tenant”)

Mr Sam Abercrombie and Mr Jim Davie, Adelphi Engineering and Construction Ltd, Unit 1, Imex Business Park, Lugar KA18 3JG (“the landlords”)

Tribunal Members – Sarah O’Neill (Legal Member) and Lori Charles (Ordinary Member, Surveyor)

CERTIFICATE OF COMPLETION

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 issued by the tribunal on 12 March 2019 has been completed. Accordingly, the said Repairing Standard Enforcement Order relative to the house 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 printed on this and the preceding page are executed by Sarah O'Neill, solicitor, Chairperson of the First-tier Tribunal (Housing and Property Chamber), at Glasgow on the twenty-eighth day of May 2019 before this witness:

J Devlin

S O'Neil

witness

Chairperson

Jordan Devlin name in full

20 York Street Address

Glasgow

G2 8GT

Housing and Property Chamber

First-tier Tribunal for Scotland



Statement relative to Certificate of Completion of Work issued by the First-tier Tribunal for Scotland (Housing and Property Chamber) ('the tribunal')

Under section 60 of the Housing (Scotland) Act 2006

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1. The tribunal issued a Repairing Standard Enforcement Order (RSEO) in respect of the house on 12 March 2019.
2. The RSEO required the landlords to carry out the following repairs:
 1. Instruct a suitably qualified contractor to repair or replace all of the windows in the house, to ensure that all windows are wind and watertight and in proper and safe working order.
 2. On completion of all the above works, ensure that all affected finishes and decoration are restored to an acceptable standard.

The tribunal ordered that the works specified in the RSEO must be carried out and completed within the period of 6 weeks from the date of service of the RSEO.

3. The ordinary (surveyor) member of the tribunal carried out a re-inspection of the house on 15 May 2019. A copy of her re-inspection report dated 15 May

2019 is attached to this statement of reasons. She found that all windows had been replaced with UPVC double glazed units and finished to a good standard.

4. The tribunal therefore determined that the works required by the RSEO have been completed satisfactorily, and that the appropriate Certificate of Completion in terms of section 60 of the Act should be issued.

Rights of Appeal

5. 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.
6. 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.

S O'Neil

Signed...

Sarah O'Neill, Chairperson

.....Date.....28/5/19.....

Housing and Property Chamber First-tier Tribunal for Scotland



Date of Inspection – 15 May 2019 2:00pm

Property Reference – FTS/HPC/RP/18/3171

Property Address – U/L 6 Barbadoes Road Kilmarnock KA1 1SY

Surveyor – Lori Charles

Previous Inspection – 25 February 2019

Access – Tenant Mr Bobby Brown

Weather – Dry

Repairing Standards Enforcement Order (RSEO) dated 12 March 2019

This is the reinspection report dated 15 May
2019 relevant to the foregoing statement of
reasons
S O'Neil

Repairing Standards Enforcement Order (RSEO) dated 12 March 2019 In particular the Tribunal requires the Landlords to:-

- 1 Instruct a suitably qualified contractor to repair or replace all the windows in the house, to ensure that all windows are wind and watertight and in proper order.
2. On completion of all the above works, ensure that all affected finishes and decoration are restored to an acceptable standard.

Lounge



Windows in lounge replaced with new U'pvc double glazed units

Large cupboard - rear facing bedroom



Windows replaced with new U'pvc double glazed units

Rear facing bed room



Windows replaced with new U'pvc double glazed units

Front facing bed room



Windows replaced with new U'pvc double glazed units

All windows have been replaced with U'pvc double glazed units and finished to a good standard.

The property has been fitted with hard wired interlinked smoke and heat detectors.



Comments: This report will be submitted to the First Tier Tribunal for Scotland (Housing Property Chamber) for their decision.

Lori Charles BSc Hons MRICS

Ordinary Member (Surveyor)

Date 15/05/19

Schedule of photographs taken during the re-inspection of 2nd April 2019 by the Ordinary Member of the First Tier Tribunal for Scotland (Housing and Property Chamber) on the 15 May 2019 .

Reference Number FTS-HPC-RP-18-3171