

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Statement of Decision: Housing (Scotland) Act 2006 Section 25(1) & 60

Chamber Ref: FTS/HPC/RP/17/0417

Title no: GLA156782 in the Land Register of Scotland

Re: Property at 11C Laird Place, Glasgow, G40 1JS

("The House")

The Parties:-

Mr William Pickering, formerly 11C Laird Place, Glasgow, G40 1JS

("the Tenant")

Mr Alan McPherson, Formerly C/O 1-2 Let Ltd, 104 Bellgrove Street, Glasgow, G31 1AA and now at 15 Silvergrove Street, Glasgow G40 1DA

("the Landlord")

Tribunal Members

Rory A B Cowan, Chairperson
Mike Links, Ordinary (Surveyor) Member

Decision

The First-tier Tribunal for Scotland: Housing and Property Chamber (the tribunal), having carried out a further inspection of the House, determined that the work required by the RSEO had been completed and resolved to issue a Certificate of Completion.

The decision of the tribunal was unanimous.

Background

The RSEO required the Landlord to complete the following work within 2 months of the service of the RSEO:

- 1) To instruct an appropriately qualified plumber to carry out an inspection of the pipework in the bathroom and in particular under the bath to identify the cause of any water leakage (if any) and to advise on and carry out any remediation works as a result of their findings. All invoices and receipts for work carried out to be sent to the office of the First-tier Tribunal: Housing and Property Chamber as confirmation of satisfactory completion of works.
- 2) To repair or replace the flooring in the bathroom and the kitchen in order to ensure that the Property is wind and water tight and in all other respects reasonably fit for human habitation and that the fixtures, fittings and appliances provided by the Landlord under the tenancy are in a reasonable state of repair and in proper working order.
- 3) To repair or replace the silicon seals round the bath in the bathroom in order to ensure that the Property is wind and water tight and in all other respects reasonably fit for human habitation and that the fixtures, fittings and appliances provided by the Landlord under the tenancy are in a reasonable state of repair and in proper working order.
- 4) To repair or replace the grouting to the tiles in the bathroom in order to ensure that the Property is wind and water tight and in all other respects reasonably fit for human habitation and that the fixtures, fittings and appliances provided by the Landlord under the tenancy are in a reasonable state of repair and in proper working order.

Reasons for the Decision

On 23 April 2018, the Ordinary/Surveyor Member of the tribunal carried out a re-inspection of the House.

At re-inspection it was noted as follows:

- An invoice had been remitted to the Tribunal for works undertaken by Andrew Gilmour Plumbing & Heating Services dated 25 February 2018. Works had been undertaken and those included replacement of floors in the kitchen and bathroom and a leaking pipe repaired.
- The floors in the kitchen and bathroom had been repaired.
- The silicon seals round the bath had been repaired.
- It was noted that the grouting of the tiles had not been completed.

Thereafter the re-inspection report was issued to the Landlord for comment. On 4th June 2018 a response was received from solicitors acting on behalf of the Landlord indicating that the outstanding works had subsequently been completed. Photographs were produced with those representations but were not clear. As such, a further re-inspection of the House was arranged and carried out on 9th August 2018.

At further re-inspection it was noted as follows:

- The grouting to the tiles in the bathroom had been satisfactorily repaired.

The Landlord has therefore completed all the works required by the RSEO.

Right of Appeal

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.

Rory Cowan

Signed:

Rory A B Cowan



Date:

30 August 2018

Chairperson