

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



Notice of a decision to Revoke

A Repairing Standard Enforcement Order

**Ordered by the Housing and Property Chamber of the First-tier
Tribunal for Scotland**

Ref: PRHP/RP/16/0114

Re : Property at 25 (Attic 2) Mid Road, Dundee DD3 7RN ("the Property")

Title No: ANG50800

The Parties:-

Stephanie Alexander, 25 (Attic 2) Mid Road, Dundee DD3 7RN ("the Former Tenant") (represented by her agent Daniel Hughes, Flat 3R, 5 Canning Street, Dundee DD3 7RZ)

Homespares Limited (also known as Homespares (GJH)), 3 Windmill Road, St Andrews, Fife KY16 9JJ ("the Landlord") (represented by their agents Pavillion Properties Ltd, 86 Bell Street, Dundee DD1 1HN)

NOTICE TO the Tenant and Landlord

The Housing and Property Chamber of the First-tier Tribunal for Scotland as successor to the Private Rented Housing Committee in terms of the Tribunals (Scotland) Act 2014, having determined on 8 June 2017 that the work required by the **Repairing Standard Enforcement Order** relative to the Property dated 1 July 2016 is no longer necessary, the said **Repairing Standard Enforcement Order is hereby revoked** with effect from the date of service of this Notice.

A landlord or tenant aggrieved by this decision may seek permission from the First-tier Tribunal to appeal on a point of law against this decision to the Upper Tribunal and that within 30 days beginning with the date when this decision was sent to the party seeking permission.

Where an application for permission to appeal is made, the effect of this decision is suspended until the application is abandoned or finally refused by the First-tier Tribunal (or upon subsequent application for permission to the Upper Tribunal, finally refused by it) or any subsequent appeal to the Upper Tribunal is abandoned or finally refused. Where such application or appeal is made this decision is to be treated as taking effect on upon the day of such abandonment or final refusal.

In witness whereof these presents typewritten on this and the preceding page are executed by David Bartos, Advocate, Parliament House, Parliament Square, Edinburgh EH1 1RF, chairperson of the Housing and Property Chamber of the First-tier Tribunal for Scotland at Edinburgh on 9 June 2017 before this witness:-

C A Baillie witness **D Bartos** chairman

name in full

2 WHITEDALES

Address

EDINBURGH

EH 10 7JQ

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



**Decision of Housing and Property Chamber of the First-tier Tribunal for
Scotland
under Section 25 (1) of the Housing (Scotland) Act 2006**

Statement of Reasons for Decision of the Housing and Property Chamber of the
First-tier Tribunal for Scotland

(Hereinafter referred to as "the Tribunal")

Under Section 25(1) of the Housing (Scotland) Act 2006

Case Reference Number: PRHP/RP/16/0114

Re : Property at 25 (Attic 2) Mid Road, Dundee DD3 7RN ("the Property")

Title No: ANG50800

The Parties:-

**Stephanie Alexander, 25 (Attic 2) Mid Road, Dundee DD3 7RN ("the Former
Tenant") (represented by her agent Daniel Hughes, Flat 3R, 5 Canning Street,
Dundee DD3 7RZ)**

**Homespares Limited (also known as Homespares (GJH)), 3 Windmill Road, St
Andrews, Fife KY16 9JJ ("the Landlord")
(represented by their agents Pavillion Properties Ltd, 86 Bell Street, Dundee DD1
1HN)**

The Tribunal comprised:-

Mr David Bartos - Chairperson
Ms Sara Hesp - Ordinary (surveyor) member

Decision

The Tribunal revoked the Repairing Standard Enforcement Order dated 1 July 2016
in respect of the Landlord and the Property.

Background:-

1. On or about 4 July 2016 the former Private Rented Housing Committee issued a Repairing Standard Enforcement Order ("RSEO") in respect of the Property dated 1 July 2016. The works in the RSEO required to be completed by 28 days from the date of service of the RSEO on the Landlord.
2. On 13 September 2016 the Committee's Surveyor member carried out a reinspection of the Property. She found that requirements (a) and (d) of the RSEO had been carried out but that parts (b) and (c) had not been carried out. She produced a first Re-inspection Report dated 16 September 2016 which is referred to for its terms.
3. On 8 November 2016 the Committee made a decision that the Landlord had failed to comply with the RSEO in that it had not complied with requirements (b) and (c) of the RSEO in respect of the installation of a new heater into the living room and the provision of a subsequent Electrical Installation Condition Report to the Committee.
4. With effect from 1 December 2016 the Committee was replaced by the Housing and Property Chamber of the First Tier Tribunal for Scotland. The Committee members continued to act as Tribunal members.
5. By e-mail to the Tribunal Office dated 3 February 2017 the Landlord's agents sent a copy of an Electrical Installation Condition Report dated 17 October 2010 for the Property. They asked for a further re-inspection.
6. On or about 6 April 2017 the Tribunal's surveyor member carried out a second re-inspection of the works required by the RSEO. The Landlord's representative Mr D. Low of the Landlord's agents was present during the inspection. There was no appearance by or on behalf of the Former Tenant. Following the RSEO the tenancy had come to an end.
7. The second re-inspection report of the Tribunal's surveyor indicated that the heater had been installed as required by the RSEO on 2 February 2017. It also indicated that the Landlords' representative had indicated that an Electrical Installation Condition Report had been carried out after installation of the heater and that it would be sent to the Tribunal.
8. Following the re-inspection a copy of the second report was sent to both the Landlord and its agents. Despite repeated requests from the Tribunal's Office the Landlord's agents did not send a copy of the February Electrical Installation Condition Report to the Tribunal Office. Instead the agents sent

once again a copy of an Electrical Installation Condition Report dated 16 October 2016.

9. Eventually on or about 10 May 2017 the Landlord's agents sent a copy of a Minor Electrical Installation Works Certificate dated 3 February 2017 from the electricians of Pulse (Electrical) Dundee Ltd a SELECT and NICEIC registered contractor. This certified that the works in installation of the new heater in the living room complied with British Standard 7671.
10. By e-mail of 23 May 2017 to the Tribunal Office the Landlord's agents confirmed that the NICEIC number of the contractor who provided the October report was 040574 and this was confirmed to be a valid registration with NICEIC.
11. The Landlord took no issue with either re-inspection report. Nor did the Landlord request a hearing.
12. The evidence before the Tribunal consisted of:-
 - The PRHP and Tribunal Re-inspection reports for the Property and accompanying photographs dated 16 September 2016 and 18 April 2017 respectively
 - The e-mails referred to above
 - E-mail from the Former Tenant to the Tribunal Office dated 30 March 2017
 - E-mail from the Landlord's agents to the Tribunal Office dated 6 April 2017

Findings of Fact

5. Having considered all the evidence, the Tribunal found the following facts to be established:-
 - (a) The RSEO dated 1 July 2016 was served on the Landlord on or about 4 July 2016. As at 6 April 2017 the works sought in the RSEO lettered (a), (b), and (d) had been carried out as stated in the Re-inspection Reports dated 16 September 2016 and 6 April 2017.
 - (b) The Landlord obtained an Electrical Installation Condition Report ("EICR") for the Property dated 16 October 2016. It disclosed the electrical installation in the Property to be of satisfactory standard. The Report had been prepared by an NICEIC registered contractor.

(c) The Landlord did not obtain a further EICR following the installation of the heater in the living room. Instead it obtained a Minor Electrical Installation Works Certificate dated 3 February 2017 from a SELECT and NICEIC registered contractor. This certified that the works in installation of the new heater in the living room complied with British Standard 7671.

(d) The lease with the Former Tenant has been terminated.

Reasons for Decision

6. In determining whether to revoke the RSEO the Tribunal took the view that the works sought had in substance been carried out. While it was true that the Landlord had not obtained an EICR following the installation of the new heater, he had obtained one in the previous October and had obtained a Minor Works Certificate relating to the installation of the new heater in February. Both of the EICR and the Minor Works Certificate were in satisfactory terms. There was nothing to suggest that the electrical installation in the Property was not in a reasonable state of repair and proper working order.
7. For these reasons the Tribunal took the view that a further EICR as required by part (c) of the RSEO was not necessary.

Decision

9. In the exercise of its discretion the Tribunal proceeded to revoke the RSEO as stated above. The decision of the Tribunal was unanimous.

Rights of Appeal

10. A landlord or tenant aggrieved by this decision may seek permission from the Tribunal to appeal on a point of law against this decision to the Upper Tribunal and that within 30 days beginning with the date when this decision was sent to the party seeking permission.
11. Unless the lease or tenancy between the parties has been brought to an end, the appropriate respondent in such permission or appeal proceedings is the other party to the proceedings and not the Tribunal which made the decision.

Effects of Section 63 of the 2006 Act

12. Where an application for permission to appeal is made, the effect of this decision is suspended until the application is abandoned or finally refused by the First-tier Tribunal (or upon subsequent application for permission to the Upper Tribunal, finally refused by it) or any subsequent appeal to the Upper Tribunal is abandoned or finally refused.

13. In the event of such application or appeal this decision is to be treated as having effect from the day on which the application was abandoned or finally refused or the later day on which the appeal is abandoned or finally refused.

D Bartos

Signed
2017.....

Date: 9 June

David Bartos, Chairperson

C A Baillie

Signature of Witness

Date..... 9th June 2017

Name and address of the witness (please print):-

C A Baillie

2 WHITEDALES

EDINBURGH

EH 10 7JA

MINOR ELECTRICAL INSTALLATION WORKS CERTIFICATE

Issued in accordance with British Standard 7671 - Requirements for Electrical Installations by an Approved Contractor Conforming Body enrolled with NICEIC, Warwick House, Houghton Hall Park, Houghton Regis, Dunstable, LU5 5ZJ

Contractor's Reference Number

J1432

To be used only for minor electrical work which does not include the provision of a new circuit

Original (To be kept by person carrying the work)

PART 1: DETAILS OF THE MINOR WORKS

Details of departures, if any, from BS 7671 (as amended)

None

Client Pavillion Properties

Date minor works completed 03/02/2017

Part P ref N/A

Description of the Minor works
To replace existing heater with higher wattage heater

Location/address of the minor works
25 (Attic 2) Mid Road
Dundee

Postcode:

PART 2: DETAILS OF THE MODIFIED CIRCUIT

System type and earthing arrangements	TN-C-S	<input checked="" type="checkbox"/>	TN-S	<input type="checkbox"/>	TT	<input type="checkbox"/>	TN-C	<input type="checkbox"/>	IT	<input type="checkbox"/>			
Protective measure(s) against electric shock	ADS												
Overcurrent protective device for the modified circuit	BS(EN)	BS EN 60898 MCB Type B			Type	B		Rating	32	A			
Residual current device (if applicable)	BS(EN)	BS EN 61008 RCD			Type	N/A		I _{Δn}	30	mA			
Details of wiring system used to modify the circuit	Type	Thermoplastic insulated/sheathed cables			Reference method	C		csa of lives	2.5	mm ²	csa of cpc	1.5	mm ²
Where the measure for protection against electric shock is ADS, insert maximum disconnection time permitted by BS 7671		0.4	s	Maximum Z _s permitted by BS 7671	1.37	Ω							
Comments, if any, on existing installation, including adequacy of earthing and bonding arrangements (see Regulation 132.16): None													

PART 3: INSPECTION AND TESTING OF THE MODIFIED CIRCUIT AND RELATED PARTS

Confirmation that necessary inspections have been undertaken	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Insulation resistance <i>(In a polyphase circuit, record the lower or lowest value, as appropriate)</i>							
Confirmation of the adequacy of earthing	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Line/Line	N/A	MΩ	Line/Earth	299	MΩ		
Confirmation of the adequacy of protective bonding	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Line/Neutral	299	MΩ	Neutral/Earth	299	MΩ		
Confirmation of correct polarity	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	RCD operating time at I _{Δn} (if RCD fitted)		25.5	ms				
Circuit resistance (R ₁ + R ₂)	0.23	Ω	or	R ₂	N/A	Ω	RCD operating time at 5I _{Δn} if applicable		17.5	ms
Maximum measured earth fault loop impedance, Z _s	0.35	Ω	Test button operation satisfactory		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				

Agreed limitations, if any, on the inspection and testing:
Only altered circuit has been tested

Instrument Serial No(s):
6111-754/070107/7103

PART 4: DECLARATION

Details of permitted exceptions appended: N/A

Risk assessment appended: N/A

No. of pages

I CERTIFY that the minor electrical installation works, as detailed in Part 1 of this certificate, does not impair the safety of the existing installation, that the said works have been designed, constructed, inspected, tested and verified in accordance with BS 7671, amended on the date shown* and that, to the best of my knowledge and belief, at the time of inspection, the works complied with BS 7671 except as detailed in Part 1 of this certificate.

*Feb 17

The results of the inspection and testing reviewed by the Qualified Supervisor

Name (CAPITALS) MIKE ANDERSON

Name (CAPITALS) KEVIN HIRONS

For and on behalf of (Trading title of approved contractor)
Pulse Electrical (Dundee) Ltd

Signature M Anderson

Signature K Hirons

Address and Postcode
25-27, City Road, Dundee, Tayside
DD2 2BL

Position Approved Electrician

Position ELECTRICIAN

Date 03/02/2017

Date 03/02/2017



Enrolment Number 040574

Branch number (if applicable) N/A

(The enrolment number is essential information)



This certificate is not valid if the serial number has been defaced or altered **IPN4/0431791**

ELECTRICAL INSTALLATION CONDITION REPORT

Contractor's Reference Number

N/A

Issued in accordance with British Standard 7671 - Requirements for Electrical Installations by an Approved Contractor
Conforming Body enrolled with NICEIC, Warwick House, Houghton Hall Park, Houghton Regis, Dunstable, LU5 5ZX

Original (to the person offering the work)

A. DETAILS OF THE CLIENT

Client: Pavillion Properties

Address: 86 Bell Street
Dundee
DD1 1HN

Postcode: DD1 1HN

B. PURPOSE OF THE REPORT

This report must be used only for reporting on the condition of an existing installation.

Purpose for which this report is required: To report on the condition of the electrical installation

Date(s) on which inspection and testing were carried out: 17/10/16

C. DETAILS OF THE INSTALLATION

Occupier: N/A

Address: 25 Mid Road
Attic 2 Flat
Dundee

Postcode:

Estimated age of the electrical installation: 30 years
Description of premises: domestic, commercial, industrial, other (Please state) Domestic
Evidence of alterations or additions:
If yes, estimated age: 5 years

Date of previous inspection: N/A
Electrical Installation Certificate No or previous Periodic Inspection or Condition Report No: N/A

Records of installation available: No
Records held by: N/A

D. EXTENT OF THE INSTALLATION AND LIMITATIONS ON THE INSPECTION AND TESTING

Extent of the electrical installation covered by this report:

Power and lighting circuits

Agreed limitations (including the reasons), if any, on the inspection and testing:

100% of accessories have been visually inspected where possible and 20% have been physically inspected, no insulation resistance tests carried out between live and neutral

Agreed with: Client

Operational limitations including the reasons (see page No. N/A)

None

The inspection and testing have been carried out in accordance with BS 7671, as amended. Cables concealed within trunking and conduits, or cables and conduits concealed under floors, in inaccessible roof spaces and generally within the fabric of the building or underground, have not been visually inspected unless specifically agreed between the client and inspector prior to the inspection.

E. SUMMARY OF THE CONDITION OF THE INSTALLATION

General condition of the installation (in terms of electrical safety):

The installation is of a satisfactory standard

Summary of the condition of the installation continued on additional pages? No Yes Specify page No(s):

Overall assessment of the installation:

SATISFACTORY (no further work required)

An 'Unsatisfactory' assessment indicates that dangerous (CODE C1) and/or potentially dangerous (CODE C2) conditions have been identified, or that Further investigation without delay (FI) is required

This report should have been reviewed and confirmed by the registered Qualified Supervisor of the Approved Contractor responsible for issuing it. (See declaration on page 2)

Page 1 of

8

This report is based on the model forms shown in Appendix 6 of BS7671
Published by Certsure LLP. Certsure LLP operates the ELECSA & NICEIC brands. © Copyright Certsure LLP (January 2015)

Please see the 'Notes for Recipients'

ELECTRICAL INSTALLATION CONDITION REPORT

Original (To the person ordering the work)

H. SCHEDULES AND ADDITIONAL PAGES

Inspection Schedule: Page(s) No 4,5,6

Schedule of Circuit Details for the Installation: Page No(s) **7**

Schedule of Test Results for the Installation: Page No(s) **8**

The pages identified are an essential part of this report. The report is valid only if accompanied by all the schedules and additional pages identified above.

I. NEXT INSPECTION

(We recommend that this installation is further inspected and tested after an interval of not more than **5 years** (Enter interval in terms of years, months or weeks, as appropriate))

provided that any Items at F which have been attributed a Classification code C1 (danger present) are remedied immediately and that any Items which have been attributed a code C2 (potentially dangerous) or F1 (further investigation required without delay) are remedied or investigated respectively as a matter of urgency. Items which have been attributed a Classification code C3 should be improved as soon as practicable (see F).

J. DETAILS OF NICEIC APPROVED CONTRACTOR

Trading Title: **Pulse Electrical (Dundee) Ltd**

Address: **25-27 City Road Dundee Tayside**

Telephone number: **01382660022**

Email Address: **admin@pulseelectrical.co.uk**

Enrolment number: **040574** (Essential information)

Branch number: **N/A** (if applicable)

Postcode: **DD2 2BL**

K. SUPPLY CHARACTERISTICS AND EARTHING ARRANGEMENTS

System Type(s)	Number and Type of Live Conductors				Nature of Supply Parameters				Characteristics of Primary Supply Overcurrent Protective Device(s)		
	a.c.		d.c.		Nominal Voltage(s), U _n ⁽¹⁾				BS(EN)	BS 1361	Fuse HBC Domestic
TN-S					230 V		U _n ⁽¹⁾ 230 V		BS(EN)	BS 1361	Fuse HBC Domestic
TN-C-S	1-phase (2 wire)	1-phase (3 wire)	2 pole		50 Hz		Notes: (1) by enquiry	Type	2		
TN-C	2-phase (3 wire)		3 pole		Prospective fault current, I _p ⁽²⁾⁽³⁾	1.63 kA	(2) by enquiry or by measurement	Rated current	lim	A	
TT	3-phase (3 wire)	3-phase (4 wire)	other	N/A	External earth fault loop impedance, Z _e ⁽³⁾⁽⁴⁾	0.12 Ω	(3) where more than one supply, record the higher or highest values	Short-circuit capacity	lim	kA	
IT	Other	N/A			Number of sources	1	(4) by measurement	Confirmation of supply polarity		✓	(✓)

L. PARTICULARS OF INSTALLATION AT THE ORIGIN

Means of Earthing: Distributor's facility: Installation earth electrode:

Details of Installation Earth Electrode (where applicable): Type: leg rod(s), tape(s) N/A Location: N/A Electrode resistance, R_A: N/A (Ω) Method of measurement: N/A

Main Switch/Switch-Fuse/Circuit-Breaker/RCD				Earthing and protective bonding conductors			
Type: BS(EN)	BS EN 61008	Voltage rating	230 V	Conductor material	Copper	Main protective bonding conductors	Bonding of extraneous-conductive-parts (✓)
No of Poles	2	Rated current, I _n	100 A	Conductor csa	16 mm ²	Conductor material	Water installation pipes ✓ Lightning protection
Primary supply conductors material	Copper	RCD operating current, I _{Δn}	30 mA	Connection/continuity verified	✓ (✓)	Conductor csa	Oil installation pipes Structural steel
Primary supply conductors csa	25 mm ²	Rated time delay*	N/A ms			Connection/continuity verified	Gas installation pipes
		RCD operating time (at I _{Δn})*	25.5 ms				Other N/A

* (Applicable only where an RCD is suitable and is used as a main circuit-breaker)

Please see the 'Notes for Recipients'

ELECTRICAL INSTALLATION CONDITION REPORT

Original (To the person ordering the work)

INSPECTION SCHEDULE FOR DISTRIBUTION BOARDS AND CIRCUITS

Item	Description	Outcome*	Location reference
1.0	Condition/adequacy of distributor's supply intake equipment		
1.1	Service cable	✓	
1.2	Service head	✓	
1.3	Distributor's earthing arrangement(s)	✓	
1.4	Meter tails - Distributor/ Consumer	✓	
1.5	Metering equipment	✓	
1.6	Means of main isolation (where present)	N/A	
2.0	Presence of adequate arrangements for parallel or switched alternative sources		
2.1	Adequate arrangements where a generating set operates as a switched alternative to the public supply	N/A	
2.2	Adequate arrangements where a generating set operates in parallel with the public supply	N/A	
3.0	Automatic disconnection of supply		
3.1	Main earthing and bonding arrangements		
	• Presence and condition of distributor's earthing arrangement	✓	
	• Presence and condition of earth electrode arrangement	N/A	
	• Adequacy of earthing conductor size	✓	
	• Adequacy of earthing conductor connections	✓	
	• Accessibility of earthing conductor connections	✓	
	• Adequacy of main protective bonding conductor size(s)	✓	
	• Adequacy of main protective bonding conductor connections	✓	
	• Accessibility of main protective bonding connections	✓	
	• Accessibility and condition of other protective bonding connections	✓	
	• Provision of earthing/bonding labels at all appropriate locations	✓	
3.2	FELV		
	• Source providing at least simple separation	N/A	
	• Plugs, socket-outlets and the like not interchangeable with those of other systems within the premises	N/A	
3.3	Reduced low voltage		
	• Adequacy of source	N/A	
	• Plugs, socket-outlets and the like not interchangeable with those of other systems within the premises	N/A	
4.0	Other methods of protection (where the methods of protection listed below are employed, details should be provided on separate sheets)		
4.1	Double insulation	✓	
4.2	Reinforced insulation	N/A	
4.3	Use of obstacles	N/A	
4.4	Placing out of reach	N/A	
4.5	Non-conducting location	N/A	
4.6	Earth-free local equipotential bonding	N/A	
4.7	Electrical separation for more than one item of equipment	N/A	
5.0	Distribution equipment		
5.1	Adequacy of working space/accessibility of equipment	✓	
5.2	Security of fixing	✓	
5.3	Condition of insulation of live parts	✓	
5.4	Adequacy/security of barriers	✓	
5.5	Condition of enclosure(s) in terms of IP rating	✓	
5.6	Condition of enclosure(s) in terms of fire rating	✓	
5.7	Enclosure not damaged/deteriorated so as to impair safety	✓	
5.8	Presence of main switch(es), linked where required	✓	
5.9	Operation of main switch(es) (functional check)	✓	
5.10	Correct identification of circuit protective devices	✓	
5.11	Adequacy of protective devices for prospective fault current	✓	
5.12	RCD(s) provided for fault protection - includes RCBOs	✓	
5.13	RCD(s) provided for additional protection - includes RCBOs	✓	

* All Outcome boxes must be completed

✓ indicates Acceptable condition
 'LIM' indicates a Limitation
 'N/A' indicates Not applicable

Unacceptable condition state C1 or C2
 Improvement recommended state C3
 Further investigation required without delay (FI) (to determine whether danger or potential danger exists)

Outcome
 Provide additional comment where appropriate on attached numbered sheets. C1, C2, C3 and FI coded items to be recorded in Section F of the report.



This certificate is not valid if the serial number has been defaced or altered **IPN4/0431791**

ELECTRICAL INSTALLATION CONDITION REPORT

Original (To the person ordering the work)

INSPECTION SCHEDULE FOR DISTRIBUTION BOARDS AND CIRCUITS

Item	Description	Outcome*	Location reference
5.14	RCD(s) provided for protection against fire - includes RCBOs	✓	
5.15	Manual operation of circuit-breakers and RCDs to prove disconnection	✓	
5.16	Presence of RCD retest notice at or near equipment where required	✓	
5.17	Presence of diagrams, charts or schedules at or near equipment, where required	✓	
5.18	Presence of non-standard (mixed) cable colour warning notice at or near equipment where required	✓	
5.19	Presence of alternative/additional supply arrangement warning notice(s) at or near equipment where required	N/A	
5.20	Presence of replacement next inspection recommendation label	✓	
5.21	Presence of other required labelling (specify)	✓	
5.22	Examination of protective device(s) and base(s); correct type and rating (no signs of unacceptable thermal damage, arcing or overheating)	✓	
5.23	Single-pole switching or protective devices in line conductors only	✓	
5.24	Protection against mechanical damage where cables enter equipment	✓	
5.25	Protection against electromagnetic effects where cables enter metallic enclosures	✓	
6.0	Distribution/final circuits		
6.1	Identification of conductors	✓	
6.2	Cables correctly supported throughout their length	LIM	
6.3	Condition of insulation of live parts	✓	
6.4	Non-sheathed cables protected by enclosure in conduit, ducting or trunking	N/A	
6.5	Suitability of containment systems for continued use (including flexible conduit)	N/A	
6.6	Cables correctly terminated in enclosures (indicate extent of sampling in Section D of report)	✓	
6.7	Confirmation of indication that SPD(s) are functional	✓	
6.8	Confirmation that ALL conductor connections, including connections to busbars are correctly located in terminals and are tight and secure	✓	
6.9	Examination of cables for signs of unacceptable thermal and mechanical damage/deterioration	✓	
6.10	Adequacy of cables for current-carrying capacity with regard to the type and nature of installation	✓	
6.11	Adequacy of protective devices; type and rated current for fault protection	✓	
6.12	Presence and adequacy of circuit protective conductors	✓	
6.13	Co-ordination between conductors and overload protective devices	✓	
6.14	Cable installation methods/practices appropriate to the type and nature of installation and external influences	✓	
6.15	Cables where exposed to direct sunlight, of a suitable type	N/A	
6.16	Cables installed under floors, above ceilings, in walls / partitions, adequately protected against damage		
	• installed in prescribed zones (see Section D. Extent and limitations)	N/A	
	• incorporating earthed armour or sheath, or installed within earthed wiring system, or otherwise protected against mechanical damage by nails, screws and the like (see Section D. Extent and limitations)	N/A	
6.17	Provision of additional protection by 30 mA RCD		
	• † for mobile equipment not exceeding a rating of 32 A for use outdoors	✓	
	• † for all socket-outlets of rating 20 A or less, unless exempt	✓	
	• † for cables installed in walls / partitions at a depth of less than 50 mm	✓	
	• † for cables installed in walls / partitions containing metal parts regardless of depth	✓	
6.18	Provision of fire barriers, sealing arrangements and protection against thermal effects	LIM	
6.19	Band II cables segregated/separated from Band I cables	LIM	
6.20	Cables segregated/separated from non-electrical services	LIM	
6.21	Termination of cables at enclosures (identify numbers and locations of items inspected in Section D)		
	• Connections under no undue strain	✓	
	• No basic insulation of a conductor visible outside an enclosure	✓	
	• Connections of live conductors adequately enclosed	✓	
	• Adequacy of connection at point of entry to enclosure (gland, bush or similar)	✓	
6.22	General condition of wiring systems	✓	
6.23	Temperature rating of cable insulation	✓	
6.24	Condition of accessories including socket-outlets, switches and joint boxes	✓	
6.25	Suitability of accessories for external influences	✓	
6.26	Single-pole switching or protective devices in line conductors only	✓	
6.27	Adequacy of connections, including CPCs, within accessories and to fixed and stationary equipment - identify / record numbers and locations of items inspected	✓	

* All Outcome boxes must be completed
 '✓' indicates Acceptable condition
 'LIM' indicates a Limitation
 'N/A' indicates Not applicable

Unacceptable condition state C1 or C2
 Improvement recommended state C3
 Further investigation required without delegate FI
 (to determine whether danger or potential danger exists)

Outcome
 Provide additional comment where appropriate on attached numbered sheets, C1, C2, C3 and FI coded items to be recorded in Section F of the report.

ELECTRICAL INSTALLATION CONDITION REPORT

Original (To the person ordering the work)

INSPECTION SCHEDULE FOR DISTRIBUTION BOARDS AND CIRCUITS

Item	Description	Outcome*	Location reference
7.0	Isolation and switching		
7.1	Isolators		
	* presence and condition of appropriate devices	✓	
	* acceptable location (state if local or remote)	✓	
	* capable of being secured in the OFF position	N/A	
	* correct operation verified	✓	
	* clearly identified by position and/or durable markings(s)	✓	
	* Warning label posted in situations where live parts cannot be isolated by the operation of a single device	N/A	
7.2	Switching off for mechanical maintenance		
	* presence and condition of appropriate devices	✓	
	* acceptable location	✓	
	* capable of being secured in the OFF position	N/A	
	* correct operation verified	✓	
	* clearly identified by position and/or durable markings(s)	N/A	
7.3	Emergency switching/stopping		
	* presence and condition of appropriate devices	N/A	
	* readily accessible for operation where danger might occur	N/A	
	* correct operation verified	N/A	
	* clearly identified by position and/or durable markings(s)	N/A	
7.4	Functional switching		
	* presence and condition of appropriate devices	N/A	
	* correct operation verified	N/A	
8.0	Current-using equipment (permanently connected)		
8.1	Condition of equipment in terms of IP rating	✓	
8.2	Equipment does not constitute a fire hazard	✓	
8.3	Enclosure not damaged/deteriorated so as to impair safety	✓	
8.4	Suitability for the environment and external influences	✓	
8.5	Security of fixing	✓	
8.6	Cable entry holes in ceiling above luminaires, sized or sealed so as to restrict the spread of fire (indicate extent of sampling in Section D of report)	✓	
8.7	Recessed luminaires (e.g. downlighters)		
	* correct type of lamps fitted	N/A	
	* installed to minimise build-up of heat by use of "fire rated" fittings, insulation displacement box or similar	N/A	
	* no signs of overheating to surrounding building fabric	N/A	
	* no signs of overheating to conductors/terminations	N/A	
9.0	Location(s) containing a bath or shower		
9.1	Additional protection by RCD not exceeding 30 mA		
	* for low voltage circuits serving the location	✓	
	* for low voltage circuits passing through Zone 1 and Zone 2 not serving the location	✓	
9.2	Where used as a protective measure, requirements for SELV or PELV are met	✓	
9.3	Shaver sockets comply with BS EN 61558-2-5 or BS 3535	N/A	
9.4	Presence of supplementary bonding conductors unless not required by BS 7671: 2008	✓	
9.5	Low voltage (e.g. 230 volts) socket-outlets sited at least 3 m from zone 1	N/A	
9.6	Suitability of equipment for external influences for installed location in terms of IP rating	✓	
9.7	Suitability of equipment for installation in a particular zone	✓	
9.8	Suitability of current-using equipment for a particular position within the location	✓	
10.0	Other special installations or locations		
	List special locations present, if any. List the results of particular inspections applied (a separate page is required for each location).	N/A	
		N/A	
		N/A	
		N/A	
		N/A	
		N/A	

* All Outcome boxes must be completed
 '✓' indicates Acceptable condition
 'LIM' indicates a Limitation
 'N/A' indicates Not applicable

Unacceptable condition state C1 or C2
 Improvement recommended state C3
 Further investigation required without delegate FI
 (to determine whether danger or potential danger exists)

Outcome
 Provide additional comment where appropriate on attached numbered sheets. C1, C2, C3 and FI coded items to be recorded in Section F of the report.

Housing and Property Chamber First-tier Tribunal for Scotland



First-tier Tribunal for Scotland (Housing and Property Chamber) Housing (Scotland) Act 2006 Property Re-inspection Report



Mid Road elevation – 6 April 2017

Date of re-inspection: 6 April 2017

Chamber Reference Number: PRHP/RP/16/0114

Property address: 25 (Attic 2) Mid Road, Dundee DD3 7RN

Surveyor: Ms S Hesp LLB (Hons) BA (Hons) MRICS ACI Arb

Circumstances of inspection: The weather was dry and sunny.

In attendance:

The property was found to be vacant. Access was provided at 10am by Mr D Low, Property Manager of the landlord's agent, Pavilion Properties (Scotland) Ltd. There were no other attendees.

Repairing Standard Enforcement Order (RSEO)

An RSEO was served on the Landlord, Homesparcs (GJH), on 1 July 2016 following an inspection and hearing of the Tribunal on 20 June 2016.

The Landlord was required to carry out the following work under the terms of the RSEO:

- a) *To repair or replace the electrical panel heater in the bedroom of the Property so as to ensure that the heater has a properly working timer mechanism and has an adequate connection for the supply of electricity to it; to fix said heater securely to the wall and to make good;*
- b) *To replace the electrical panel heater in the living room of the Property with one of heating output to allow the room to be used with reasonable comfort and having an adequate connection for the supply of electricity to it; and to carry out any ancillary work to the decoration of the room to make good;*
- c) *Thereafter, to produce to the Committee a domestic Electrical Installation Condition Report from an electrician who is, or is an employee or director of, a contractor registered with the National Inspection Council for Electrical Installation Contracting (NICEIC) or with Scotland's Electrical Trade Association (SELECT) under the Electrical Installations category, with the said report setting out any works necessary to put all electrical installations in the Property into a reasonable state of repair and into proper working order; and to carry out all works, if any, recommended in the above electrical installation condition report.*
- d) *To carry out such works as are necessary to the front doorframe of the Property to seal the gap between the frame and the front door to eliminate any draught.*

Completed works

The Landlord has undertaken the following work since the inspection and hearing:

- a) The landlord has fixed the heater in the bedroom to the wall beneath the window in a secure fashion and has provided a socket in a position to allow provision of an electricity supply to it. A timing mechanism has been supplied.

My re-inspection report dated 16 September 2016 refers.

- b) The landlord has replaced the electrical panel heater in the living room with a new one of 2 kW output. The replacement heater is pictured in the attached Schedule.
- d) The draught proofing to the front door has been properly attached and the space at the base has been considerably reduced, although a very small gap remains.

My re-inspection report dated 16 September 2016 refers.

Outstanding works

- c) The landlord's agent has verbally informed me that the above heater was installed on 3 February 2017 and that an Electrical Installation Condition Report was carried out on the same day. He promised to send a copy to the offices of the Tribunal but none has yet been received.

This report will be submitted to the relevant parties for their consideration and comment. Once their submissions, if any, have been received, the Tribunal will determine whether the Repairing Standard Enforcement Order has been complied with and what further action is appropriate.

Sara Hesp

Ordinary (Surveyor) Member
18 April 2017

**Schedule of photographs attached to re-inspection report
PRHP/RP/16/0114 – 25(Attic 2) Mid Road, Dundee DD3 7RN**



Living room – replacement heater – 6 April 2017



PRHP Re-inspection report



Mid Road elevation – 13 September 2016

Property: 25 (Attic 2) Mid Road, Dundee DD3 7RN

Ref no: PRHP/RP/16/0114

Surveyor: Sara Hesp LLB(Hons) BA(Hons) MRICS ACI Arb

Access:

I re-inspected the subject property on 13 September 2016 at 16.30. Access was provided by the tenant's representative, Daniel Hughes. Neither the tenant nor the landlord was present.

The weather was dry and warm.

Purpose of re-inspection:

The purpose of this re-inspection was to investigate whether work required under the Repairing Standard Enforcement Order dated 1 July 2016 had been completed.

The property had been previously inspected by a Committee of the Panel on 20 June 2016.

Under the Repairing Standard Enforcement Order, the landlord had been required:

a) To repair or replace the electrical panel heater in the bedroom of the Property so as to ensure that the heater has a properly working timer mechanism and has an adequate connection for the supply of electricity to it; to fix said heater securely to the wall and to make good;

b) to replace the electrical panel heater in the living room of the Property with one of heating output to allow the room to be used with reasonable comfort and having an adequate connection for the supply of electricity to it; and to carry out any ancillary work to the decoration of the room to make good;

c) thereafter, to produce to the Committee a domestic electrical installation condition report from an electrician who is, or is an employee or director of, a contractor registered with the National Inspection Council for Electrical Installation Contracting (NICEIC) or with Scotland's Electrical Trade Association (SELECT) under the Electrical Installations category, with the said report setting out any works necessary to put all electrical installations in the Property into a reasonable state of repair and into proper working order; and to carry out all works, if any, recommended in the above electrical installation condition report;

d) to carry out such works as are necessary to the front doorframe of the Property to seal the gap between the frame and the front door to eliminate any draught.

The landlord was required to carry out and complete the works specified within 28 days of the date on which the Order was served.

Work carried out:

a) The landlord has fixed the heater in the bedroom to the wall beneath the window in a secure fashion and has provided a socket in a position to allow provision of an electricity supply to it. A timing mechanism has been supplied.



Electric panel heater – bedroom
20 June 2016

Electric panel heater – bedroom
13 September 2016



Electric socket and timing mechanism - bedroom
13 September 2016

b) A socket has been provided in the living room to allow the existing electric panel heater to be connected to the supply and a timing mechanism has been provided.

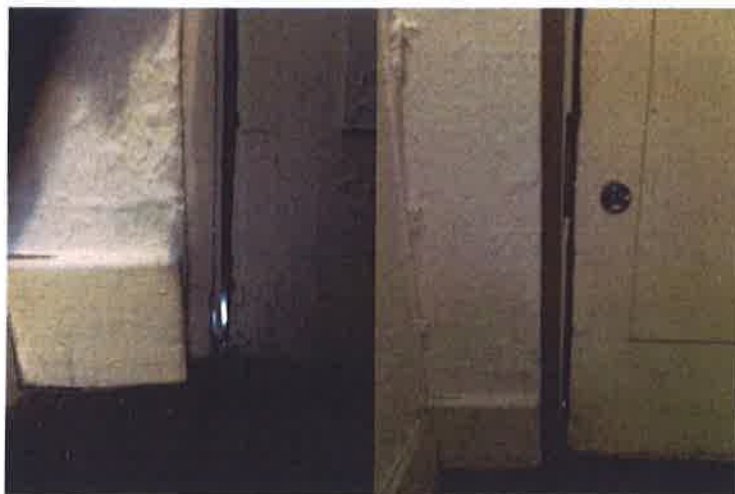


Electric panel heater – living room
20 June 2016



Electric panel heater – living room
13 September 2016

d) The draught proofing to the front door frame has been properly attached and the space at the base has been considerably reduced, although a very small gap remains.



Front door frame (inside)
20 June 2016

Front door frame (inside)
13 September 2016



Front door frame – 20 June 2016 Front door frame – 13 September 2016

Outstanding matters:

- b) The electrical panel heater in the living room of the Property has not been replaced with a model providing a higher output .
- c) An Electrical Installation Condition Report prepared by a suitably competent individual has not been provided.

Comments:

This report will be distributed to the parties and their representatives for their comment. It will be referred afterwards to the Committee of the Private Rented Housing Panel for their consideration and further action.

Sara Hesp
Surveyor Member
Private Rented Housing Panel
16 September 2016