

Housing and Property Chamber First-tier Tribunal for Scotland



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

**Certificate of Completion of Work
under Section 60 (5) (b) of the Housing (Scotland) Act 2006 Chamber Ref:**

prhp ref: RP/16/0176

**Re 2 Pladda Wynd, Broomlands, Irvine, KA11 1DW being the subjects registered
in the Land Register of Scotland under title number AYR20950 ('the Property')**

The Parties:-

Mrs Margaret Campbell, sometime residing at the Property ("The Tenant")

**Mr Alastair Lygate, residing at 7 The Paddock, Perceton, Irvine, Ka11 2AZ ("The
Landlord**

Certificate of Completion

**The Private Rented Housing Committee hereby certifies that the work required
by the Repairing Standard Enforcement Order relative to the Property dated 13th
July 2016 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.

Signed at Kilwinning on 16th January 2016 by Martin J. McAllister, Solicitor,
Legal Member of the Housing and Property Chamber of the First-tier Tribunal for
Scotland before Audrey Boylan, Witness, 83 Main Street, Kilwinning KA13 6AN.

A Boylan

M McAllister

Housing and Property Chamber First-tier Tribunal for Scotland



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

Determination: Statement relative to Certificate of Completion of work issued under Section 60 of the Housing (Scotland) Act 2006

prhp ref: RP/16/0176

Re 2 Pladda Wynd, Broomlands, Irvine, KA11 1DW being the subjects registered in the Land Register of Scotland under title number AYR20950 ('the Property')

The Parties:-

Mrs Margaret Campbell, sometime residing at the Property ("The Tenant')

Mr Alastair Lygate, residing at 7 The Paddock, Perceton, Irvine, Ka11 2AZ ("The Landlord")

Background:

1. On 13th July 2016 the private rented housing committee made a repairing standard enforcement order (RSEO) in respect of the House. The members of the committee were Martin J. McAllister, solicitor, Chairman and George Campbell, surveyor. Mike Links, surveyor, replaced George Campbell as a member of the committee subsequent to the making of the RSEO.
2. The tenancy of the House has been lawfully terminated.
3. On 1st December 2016 the Housing and Property Chamber assumed responsibility for the application.
4. The RSEO was in the following terms:
 - a) **The Landlord requires to replace the front door.
(Section 13 (1) (b) of the Act).**
 - b) **The Landlord requires to repair the bedroom window so that it can be closed effectively and be free of draughts.
(Section 13 (1) (a) and 13 (1) (b) of the Act).**
 - c) **The Landlord requires to repair the back door to ensure that it is free from draughts.
(Section 13 (1) (a) of the Act).**

d) The Landlord requires to undertake all necessary work to resolve the issue of draughts in the kitchen behind the appliance next to the sink. (Section 13 (1) (a) of the Act).

5. On 24th August 2016 the surveyor member of the committee inspected the House.
6. His report disclosed that some repairs had been carried out but that there was still an outstanding issue with regard to the bedroom window.
7. A copy of the report was sent to the Landlord.
8. On 7th December 2016 Mike Links, ordinary member of the tribunal inspected the House and a copy of his report is attached.
9. A copy of the report was sent to the Landlord who made no representations.
10. The Tenancy has been lawfully terminated.
11. The report discloses that the window is closing and is draught free.
12. The committee considered matters, determined that it was satisfied that the work had been completed and that it was appropriate to issue the Certificate of Completion in terms of Section 60 of the Housing (Scotland) Act 2006.

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.

Martin J. McAllister, Solicitor,
Legal Member of the Housing and
Property Chamber of the First-tier
Tribunal for Scotland.
16th January 2017

Housing and Property Chamber First-tier Tribunal for Scotland



First-tier Tribunal for Scotland (Housing and Property Chamber

RE-INSPECTION REPORT



PROPERTY: 2 Pladda Wynd, Irvine KA11 1DW

HPC REF No: RP/16/0176

SURVEYOR: Mike Links

IN ATTENDANCE: Alistair Lygate (Landlord)

The house is now vacant.

WEATHER: Dry and overcast.

ACCESS: I re-inspected the property on Wednesday 7th December 2016 at 9.45m.

RSEO: This report should be read in conjunction with the re-inspection report dated 24th August 2016. At that time one item of the RSEO remained outstanding, namely item b)

“The Landlord requires to repair the bedroom window so that it can be closed effectively and be free of draughts”

Works in RSEO undertaken:

Repairs have been undertaken to the window. Whilst the window is not in good condition it is closing and is now draught proof.

Works in RSEO outstanding: None.

RECOMMENDATION: Once the re-inspection report is forwarded to the Landlord and Tenant for comment the Committee will then decide what further action is required.

Mike Links

Ordinary Member

Housing and Property Chamber

Date: 7th December 2016



Open window showing draughtproof strips.



Closed window.