Housing and Property Chamber First-tier Tribunal for Scotland

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

Certificate of completion of work under section 60 of the Housing (Scotland) Act 2006 ("the Act") of the Private Rented Housing Committee issued under the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2016

Chamber Ref: PRHP/RP/14/0281

Title number: REN 12418

Property: 21 Craigburn Crescent, Houston, PA6 7NE ("the property")

The Parties:-

Mrs Margaret Kirkton, 21 Craigburn Crescent, Houston, PA6 7NE ("the tenant")

Ms Fiona Margaret Siddall, Dewlands, Crayshill Road, Crayshill, Billericay, Essex ("the landlord")

Tribunal Members:

Simone Sweeney (Legal member) Colin Campbell (Housing member)

CERTIFICATE OF COMPLETION

The tribunal hereby certifies that the work required by the **Repairing Standard Enforcement Order** relative to the Property served on 20th May 2015 has been completed. Accordingly, the said Repairing Standard Enforcement Order relative to the property has been discharged.

Right of Appeal

A party to this application, 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.

Effect of Section 63

Where such an appeal is made, the effect of the decision and of the order is suspended until the appeal is abandoned or finally determined, and where the appeal is abandoned or finally determined by confirming the decision, the decision and the order will be treated as having effect from the day on which the appeal is abandoned or so determined.

IN WITNESS WHEREOF these presents typewritten on this are signed by Simone Sweeney, legal member of the First Tier Tribunal, at Glasgow, on 27th day of January, Two Thousand and Seventeen, in the presence of the undernoted witness:

Simone Sweeney

	Simone Substitute
Legal member B Quinn	
Witness	
Designation	
	1, ATLANTIC QUAY, 45 ROBERTSON STREET. GLASGOW, G2 8JB
- 1 00	ON 27th JANUARY 2017, I SIMONE SWEENEY HEREBY CERTIFY THIS DOCUMENT AS A TRUE ORIGINAL. Simone Sweeney

Housing and Property Chamber First-tier Tribunal for Scotland



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

Statement of facts and reasons for a decision to grant certificate of completion of work under section 60 of the Housing (Scotland) Act 2006 ("the Act") of the Private Rented Housing Committee issued under the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2016

Chamber Ref: PRHP/RP/14/0281

Property: 21 Craigburn Crescent, Houston, PA6 7NE ("the property")

The Parties:-

Mrs Margaret Kirkton, 21 Craigburn Crescent, Houston, PA6 7NE ("the tenant")

Ms Fiona Margaret Siddall, Dewlands, Crayshill Road, Crayshill, Billericay, Essex ("the landlord")

Tribunal Members:

Simone Sweeney (Legal member) Colin Campbell (Housing member)

Decision

 That a certificate of completion of works in terms of section 60 of the Act be issued.

Statement of facts and reasons

- 2. The tribunal issued a Repairing Standard Enforcement Order ("RSEO") on 20th May 2015. The terms of the RSEO were that the landlord was required to carry out such work as was necessary to ensure that the house meets the repairing standard and in particular the following specific areas:
 - i. To replace or carry out such works to the external door and the entrance to the storage cupboard at the rear of the property to ensure that it is wind and water tight and that it is in a reasonable state of repair;
 - ii. To have a full inspection and test of all electrical wiring and appliances at the property by a suitably qualified independent electrical engineer, with particular emphasis on the shower unit in the bathroom and the wiring emanating from the storage cupboard in the upper hallway to ensure that all electrical installations at the property are in a reasonable state of repair and in proper working order and for the engineer to report on his findings with regard to their state of repair and working order and for the landlord to produce a copy of that report to the committee;
 - iii. For the landlord to instruct an independent suitably qualified Gas Safe registered engineer to carry out an inspection of the boiler and heating system, for him to report on his findings with regard to their state of repair and working order and to produce a copy of that report to the committee. Should it be reported that the boiler and system for heating water are not in a reasonable state of repair and in proper working order following that inspection, then the engineer should carry out any necessary repairs or, as appropriate, replacement any fittings to ensure that the boiler and heating system are in proper working order and meet the repairing standard. If either the boiler or system for heating the property are found not to be in a reasonable state of repair, the landlord should provide receipts or evidence of the works undertaken. The landlord should also produce an up to date gas safety certificate on the installation and supply of gas;
 - iv. For the landlord to provide satisfactory provision for detecting fires and for giving warning in the event of fire or suspected fire.
 - 3. It having been identified that the landlord had failed to comply with the terms of the RSEO, the tribunal issued an order in terms of section 26 of the Act. Notice was also given to the local authority under section 26 (2) of the Act.

Reference is made to the relevant notice, to the terms of the order issued by the tribunal dated, 26th May 2016 and the attached statement of decision.

- 4. As at 26th May 2016 the repairs identified by Mr Buchan, surveyor, in his report of 14th March 2016 remained outstanding. These were:
 - i. A satisfactory electrical installation condition report to be produced;
 - ii. No earth bonding wires were attached to the pipes of the new boiler;
 - iii. The pipes and boiler are located directly above an electrical socket creating a hazard and either the boiler or the electrical socket(s) be relocated or re-arranged in order to remove the hazard.
- 5. The report of Mr Buchan, the subsequent failure to comply order and notice to the local authority were intimated to the landlord. The matter was reported to Police Scotland.
- Despite consistent requests to produce a satisfactory electrical installation condition report ("EICR") showing that all necessary repairs as required by the RSEO had been completed, the landlord failed to do so until 28th December 2016.
- 7. The EICR produced by the landlord's representative, My Tyler, bore the number 055054. It was dated 10th November 2016 and referred to the property. The report noted that the general condition of the electrical installations at the property to be, "satisfactory." It noted, also, that the extent of the electrical installation covered by the report to be, "power and lights." The report was produced by A.M. Electrical. No remedial action was identified as being required at the property.
- 8. The tribunal formed the view that the content of the EICR of 10th November 2016 produced on 28th December 2016 was sufficient to satisfy the issues identified by Mr Buchan in his report of 14th March 2016. For this reason and in light of there being no further issues outstanding, the tribunal determined that the landlord had satisfied the terms of the RSEO of 20th May 2015 and that a certificate of compliance in terms of section 60 of the Act be issued.

Right of Appeal

 A party to this application, 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.

Effect of Section 63

10. Where such an appeal is made, the effect of the decision and of the order is suspended until the appeal is abandoned or finally determined, and where the appeal is abandoned or finally determined by confirming the decision, the decision and the order will be treated as having effect from the day on which the appeal is abandoned or so determined.

Simone Sweeney

AT GLASGOW ON 27th JANUARY 2017



ELECTRICAL INSTALLATION CONDITION REPORT

(REQUIREMENTS FOR ELECTRICAL INSTALLATIONS - 85 7671 [IET WIRING REGULATIONS])

SELECT MEMBERSHIP NUMBER m 21.45 5

This persiticate is not valid if the number is defacted or attered

EICR 055054

Copyright © The Electrical Contractors' Association of Scotland

SECTION A. DETAILS OF THE CLIENT / PERSON ORDER	RING THE REPORT
Name AM ELECTRICAL	
Address: 38 ALLANICH AUE	
SECTION B. REASON FOR PRODUCING THIS REPORT	
Reason: LOTIN - PYSPOSE	7.5
Date(s) on which inspection and testing was carried out: .10.1	40.16
SECTION C DETAILS OF THE INSTALLATION WHICH	2 THE 20BJECT OF THIS IVE OVE
Occupier TENANT	Marie Complete Company of the Compan
Occupier TENANT Address: 21 CRAIC BILL CRES HILL	101 THE THE
Transportation of pramises (Tipk as appropriate): Domestic & Co	namercial Industrial I Other I
Entimated and of the winns system: 15 - Belows: Evidence of S	additions of alterations Yes LI No LI Not apparent LI
If "Yes" estimate age: years. Installation records available? (F	Regulation 621.1) Yes LI No LI Date of last inspection:
DESTRUMENT AND LIMITATIONS OF INSPECTIO	ON AND TESTING
Extent of the electrical installation covered by this report.	150 L LIGHTS
Agreed limitations including the reasons (Regulation 634.2)	(Atanana and an announce and an
The state of the s	
Agreed with (name):	24 Sent - Copyright (1977) Copyright (1977)
a series important and along the reasons. With	
	as have been carried out in accordance with 85 7671 2006 1
The inspection and testing detailed in this report and accompanying (IET Winnig Regulations), as amended to It should be noted to spaces, and generally within the fabric of the building or underground.	naticables concealed within trunking and conduits, under noors, in tool
spaces, and generally within the fabric of the building of underground and inspector prior to the inspection. An inspection should be made wi	thin an accessible roof space housing other electrical equipment.
THE INTERIOR OF THE CONDITION OF THE I	ISTALLATION
General condition of the installation (in terms of electrical safety)	SATISFATIONY
General condition or the histoliance (**	and the state of t
Overall assessment of the installation in terms of its suitability for	continued use
"An unsatisfactory assessment indicates that dangerous (code C11 and c	s potentially dangerous (code C2) conditions have been identified.
SECTION F. RECOMMENDATIONS	A NA A STANDARD A CORDA WAS
Where the overall assessment of the suitability of the installation	1 for continued use above is stated as UNSATISFACTORY, liwe
Where the overall assessment of the suitability of the installation recommend that any observations classified as 'Danger present to matter of urgency, investigation without delay is recommended CO.	observations identified as 'Further investigation required' (code FI).
matter of urganicy. Investigation with Cott bear in Code C3) st Observations classified as Improvement recommended (code C3) st	rould be given due consideration.
matter of urgency, investigation will but bedy mended (code C3) st Observations classified as "improvement recommended" (code C3) st Subject to the necessary remedial action being taken. Twe recommen	d that the installation is further inspected and tested by Lattice (date)
OCCUPANT DECLARATION	
and the same of th	of the electrical installation (as indicated by mylour signatures below),
I.We, being the person(s) responsible for the inspection and lesting of perdiculars of which are described above, having exercised reasonal	he skill and care when carrying out the inspection and testing, hereby
declare that the information in this report, inducing the code rational condition of the electrical installation taking into account the stated e	
Inspected and tested by:	Name (Capitals) AS INSP
Name (Capitals) A. S. C. C. SON	Signature
Signature Lalla Communication Signat	For on behalf of
Forion behalf of 2. DICKSON ELECT MICHE	Position
Position ELEC	Address
Address 3/1 144 ST ANDVEWS LOAD	
Date 16:11-2016	Date
SECTION H. SCHEDULES) Senedule(s) of inspec	tion and schedule(s) of test results are attached.

2015

The attached schedule(s) are part of this document and this report is valid only when they are attached to it. This become the associated intreduction are classed on the moders green in Appendix 8 of BS 7671 - IET Winnig Regulations. Their were detection by SCESCY flow training spike of The Electrical Conduction. Association of Scotland)

Page 1 of



CONDITION REPORT INSPECTION SCHEDULE

EICR 055054

TCO	LES 40500506 V Charlesotsche State Improvement State Further FI Not NV Lie spiralitier C1 or C2 recommended C3 investigation FI verified NV Lie	mitation LIM applicable 10					
-		OUTCOME					
EM	DECORPTION	Use codes above. Provide additional comment where appropriate					
io.	DESCRIPTION	C1 C2.C3 and FLoxies was					
		to be recorded in Section X s					
)		the Condition Report					
9	DISTRIBUTOR'S / SUPPLY INTAKE EQUIPMENT						
8	Condition of service cable						
2	Condition of service head						
3	Condition of distributor's earthing arrangement						
4	Condition of meter talls – Distributor/Consumer						
5	Condition of metering equipment						
6	Condition of solistor (where present)	No					
	PRESENCE OF ADEQUATE ARRANGEMENTS FOR OTHER SOURCES SUCH AS MICROGENERATORS (551.6; 551.7)	MA					
.O	EARTHING / BONDING ARRANGEMENTS (411.3; Chapter 54)						
1	Presence and condition of distributor's earthing arrangement (542.1,2.1; 542,1.2.2)						
2	Presence and condition of earth electrode connection where applicable (542.1.2.3)	~/4					
3.3	Provision of earthing / bonding labels at all appropriate locations (514.13.1)						
3.4	Confirmation of earthing conductor size (542.3; 543.1.1)						
3.5	Accessibility and condition of earthing conductor at main earthing terminal (MET) (543.3.2)						
3.6	Confirmation of main protective bonding conductor sizes (544.1)						
3.7	Condition and accessibility of main protective bonding conductor connections (543.3.2; 544.1.2)						
3.5	Accessibility and condition of other protective bonding connections (543.3.2)						
4.0	CONSUMER UNIT(S) / DISTRIBUTION BOARD(S)						
4.1	Adequacy of working space / accessibility to consumer unit / distribution board (132.12, 513.1)						
4.2	Security of fixing (134.1.1)						
4.3	Condition of enclosure(s) in terms of IP rating etc (416.2)						
44	Condition of enclosure(s) in terms of fire rating etc (421.1.201; 526.5)						
4.5	Enclosure not damaged/deteriorated so as to impair safety (621.2(iii))						
4.6	Presence of main linked switch (as required by 537.1.4)						
4.7	Operation of main switch (functional check) (612,13.2)						
4.8	Manual operation of circuit-breakers and RCDs to prove disconnection (612.13.2)						
4.9	Correct identification of circuit details and protective devices (514.8.1; 514.9.1)	V					
4.10	Presence of RCD quarterly test notice at or near consumer unit / distribution board (514.12.2)						
4.17	Presence of non-standard (mixed) cable colour warning notice at or near consumer unit / distribution poard (514.14)						
4 32	Presence of atternative supply warning notice at or near consumer unit / distribution board (514.15)						
4 13	Presence of other required labelling (please specify) (Section 514)						
4 14	Example of protective device(s) and base(s), correct type and rating (no signs of unacceptable forms demand around or overheating) (421 1 3)						
4 15	Section contening or protective devices in line conductors only (132.14.1; 530.3.2)						
4 16	Projection against mechanical damage where cables enter consumur unit / distribution board						
4.17	Projection against electromagnetic effects where cables enter consumer unit / distribution board /						
4 18	RCD(s) provided for fault protection - includes RCBOs (411.4.9, .411.5.2; .531.2)						
4 19	RCS/s. provided for additional protection - includes RCBOs (411-3.3; 415-1)						
4.20	Existeration of indication that SPB is functional (534.2.8)						
4.21	Confermation that ALL conductor connections, including connections to busbars, are correctly located in terminals and are tight and secure (526.1)						
4 22	Apenable at an generating set operates as a switched alternative to the public supply	N.A					
4.23	Adequate arrangements where a generating set operates in parallel with the public supply (551.7)	Page 3 of					



CONDITION REPORT INSPECTION SCHEDULE (CONTINUED) EICR 055054

UTCO	MES Acceptable condition Condition State Improvement State Feature Et Met Wertford W. Condition C1 or C2 recommended C3 investigation Et Verified W.	DUTCOME							
No. of Concession,		TONGS							
		SOUTHWEST WHERE							
rem	DESCRIPTION	we can are one of trades been							
No.	Paulino de la Maria - Princia	to be recorded in Section K's the Condition Report							
.0	DISTRIBUTION / FINAL CIRCUITS								
1	Identification of conductors (514.3.1).	W/							
5.2	Cables correctly supported throughout their run (522-8-5)								
5.3	1 Annual Physics of the courts (416.1)								
5.4	Non-sheathed cables protected by enclosure in conduit, ducting or trunking (521.19.1)								
	the state of the s								
5.5	Adequacy of cables for current-carrying capacity with regard for the type and nature of installation.								
er cii	(Section 523) Coordination between conductors and overload protective devices (433.1, 533.2.1)	+							
5.6 5.7	Adequacy of protective devices: type and rated current for fault protection (411.3)								
5.8	The second production conductors (411-3-1-1, 543-7)								
5.9	Presence and adequacy or circuit protective contacts of the installation and external influences (Section Wiring system(s) appropriate for the type and nature of the installation and external influences (Section Wiring system).	/							
77		WV							
5.10	Concealed cables installed in prescribed zones (see Section D. Extent and limitations) (522 6 202)								
5 11	Concealed cables installed in proceedings or in walls/partitions, adequately protected against damage (see Section D. Extent and limitations) (522,6:201; 522,6:204)								
£ 10	Provision of additional protection by RCD not exceeding 30 mA								
5.12	at for all socket-outlets of rating 20 A or less, unless an exception is permitted (4.1.3.0)								
	by for supply to mobile equipment not exceeding 32 A rating for use outdoors (4.13.3.5)								
	a) for cables concealed in walls at a depth of less than 50 mm(522.6.202; 522.6.203)								
	to see les concepted in wallstraditions containing metal parts regardless of depth (522 6200)								
5.13	Provision of fire barriers, sealing arrangements and protection against thermal effects (Section 527)								
5.14	Band II cables segregated / separated from Band I cables (528-1)	N							
5 15	Cables segregated / separated from communications cabling (528.2)	NV							
5.16	California segregated / separated from non-electrical services (528.3)	1 1/							
5.17	Termination of cables at enclosures - indicate extent of sampling in Section D of the report (Se	ction 526)							
Ų. II	a) Connections soundly made and under no undue strain (526.6)								
	b) No basic insulation of a conductor visible outside enclosure (526.8)								
	c) Connections of live conductors adequately enclosed (526.5)								
	d) Adequately connected at point of entry to enclosure (glands, bushes etc.) (522.8.5)								
5 18	Condition of accessories including socket-outlets, switches and joint boxes (621.2 (iii))								
5.19	Suitability of accessories for external influences (512.2)								
5.20	Adequacy of working space / accessibility to equipment (132.12, 513.1)								
5.21	Single-pole switching or protective devices in line conductors only (132.14.1; 530.3.2)								
5.0	LOCATION(S) CONTAINING A BATH OR SHOWER								
3.1	Additional protection for all low voltage (LV) circuits by RCD not exceeding 30 mA (701.411.3.3)								
3.2	Where used as a protective measure, requirements for SELV or PELV met (701.414.4.5)	NA							
5.3	Shaver sockets comply with BS EN 61558-2-5 formerly BS 3535 (701.512.3)	ماء							
1.3	Presence of supplementary bonding conductors, unless not required by BS 7671.2008 (701.415.2)								
	Low voitage (e.g. 230 volt) socket-outlets sited at least 3 m from zone 1 (701:512.3)	a							
6	Suitability of equipment for external influences for installed location in terms of IP rating (701.512.2)	1410							
6.6	Suitability of accessories and control gear etc. for a particular zone (701.512.3)								
.7									
8	Suitability of current-using equipment for particular position within the location (701.55)								
0	OTHER PART 7 SPECIAL INSTALLATIONS OR LOCATIONS								
1	List all other special installations or locations present, if any. (Record separately the results of particular inspections applied.)	Ma-							

055054 EICR

Service and the service source Distribution Board Retendance No.

CIRCUIT CHART AND SCHEDULE OF TEST RESULTS (18 CIRCUITS)

Details of circuits and/or installed equipment vulnerable to

SELECT			A A A A A A A A A A A A A A A A A A A																	O (Other-plouse specify)		
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ie where appropriate)		Resg Final Circuit (Lewes		N.N. CPC. L.L.	22414		1764	100	724		Sec. 1		194							ш	PVC in Plastic Trunking	ENTS USED
damage when tosting	nt Continuity	R1-R2 or R2	a es	DS R, +R, R, L-L	-	0.49	-	15.2	\$ 0.53		T	7	1500						rather 442 fame (NJ 26/11/Appelarly, 4)	٥	PVC in Motol Trusteing PV	TEST INSTRUMENTS USED
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CIRCUIT DETAILS		383	N.A.	7			5.		6	1	0	3								B	PVIC in Metal Condust	
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Tone A		0.000		SHOUSE	1	CONTRACT.	CASSIST	21.013	な事情に	134.45	いということ	5. W.S. CO. B.							-	6	PVC/PVC	
And the second of the second o		2		Ž,	3	1	Ĺ	3	9.7			3			-	-	-			Shabe for	adri Bawa	

2015 Tested by MAINE (CAPITALS) L. DILLEWIN Signature Line 26

METARIX MISCOS OTATILUS 3/4/10

Date 10/1/16

Page 5 of .6

Date Accuracy Ventind

Serial No.

Type

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Date Accuracy

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