

Housing and Property Chamber First-tier Tribunal for Scotland



RENT RELIEF ORDER: Housing (Scotland) Act 2006 Section 27

Chamber Ref: FTS/HPC/RT/24/1081

15 Mackie Avenue, Tarves, Ellon AB41 7LA being the subjects registered in the Land Register of Scotland under Title Number ABN68905 (“the Property”)

The Parties:-

Aberdeenshire Council, Gordon House, Blackhall Road, Inverurie, Aberdeenshire, AB51 3WA (“the Third Party Applicant”)

Garry Milne, Crimondhill Workshop, Manse Road, Methlick, Ellon, Aberdeenshire AB41 7EH (“the Landlord” and “the Respondent”)

Laura Murray, 15 Mackie Avenue, Tarves, Ellon AB41 7LA (“the Tenant”)

Tribunal Members:

Martin McAllister, Solicitor (Legal Member) and David Godfrey, Chartered Surveyor (Ordinary Member) (“the tribunal”)

NOTICE TO THE LANDLORD

Whereas in terms of its decision dated 9 October 2025, the tribunal determined in terms of Section 26(1) of the Housing (Scotland) Act 2006 (the "Act") that the Respondent has failed to comply with the Repairing Standard Enforcement Order in relation to the house made by the tribunal.

The tribunal determined to make a Rent Relief Order in terms of Section 27 of the said Act reducing the rent payable under the tenancy for the house by an amount of 90% of the rent which would, but for the order, be payable. The rent reduction will take effect 28 days after the last date on which the decision to make the Rent Relief Order may be appealed under section 64 of the said Act.

In terms of section 46 of the Tribunals (Scotland) Act, 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.

If permission for an appeal against the decision of the tribunal is granted, then the effect of the decision and the Rent Relief Order is suspended until the appeal is abandoned or finally determined by the Upper Tribunal. In the event that the decision is upheld, then the decision will be treated as having effect from the day on which the appeal is abandoned or so determined. The Rent Relief Order will be effective 28 days from the date on which the appeal is abandoned or so determined.

If an application for permission to appeal is received, then the tribunal will notify you of this and the eventual outcome of that application and any subsequent appeal.

Martin J. McAllister, Legal Member
9 October 2025