

# Housing and Property Chamber

## First-tier Tribunal for Scotland

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

**STATEMENT OF DECISION: in terms of Section 26(1) of the Housing (Scotland) Act 2006 (“the Act”) in respect of an application under Section 22(1A) of the Act**

**Chamber Ref:** FTS/HPC/RT/23/2735

**Re:** Property at Flat 0/1, 12, Riccarton Street, Glasgow, G42 7NX registered in the Registers of Scotland under Title Number GLA96564 (“the Property”)

#### **The Parties:**

Glasgow City Council, Neighbourhood, Regeneration and Sustainability Services, 231, George Street, Glasgow, G1 1RX (“the Third-party Applicant”)

Mr. James O’Donnell residing at the Property (“the Tenant”)

Subajini Thileepan, residing at 1C, Whitelaw Road, Dunfermline, Fife, KY11 4RN (“the Landlord”) per their agents, Gorrie & Davidson, Solicitors, 26, Viewfield Terrace, Dunfermline, Fife, KY12 7LB (“the Landlord’s Agents”)

#### **Tribunal Members:**

Karen Moore (Chairperson) and Kingsley Bruce (Ordinary and Surveyor Member)

#### **Decision of the Tribunal**

The Tribunal, having made such enquiries as it saw fit for the purposes of determining whether a certificate of completion in respect of the Repairing Standard Enforcement Order (RSEO) can be granted, determined that, as it is satisfied that the work required by the RSEO has been carried out, a certificate in terms of Section 60 of the Act is granted and the Rent Relief Order dated 30 August 2025 is discharged.

This Decision should be read in conjunction with the Decision and RSEO dated 21 February 2024 and the Rent Relief Order dated 30 August 2025.

## **Background**

1. By application received between 10 August 2023 and 11 September 2023 (“the Application”), the Third-party Applicant applied to the First-tier Tribunal for Scotland (Housing & Property Chamber) for a determination that the Landlord had failed to comply with the duty imposed on her by Section 14(1)(b) of the Act in respect that the Property does not meet the Repairing Standard in respect of Section 13(1)(a) and Section 13(1) (d) of the Act.

## **Inspections and Hearings**

2. Following an Inspection of the Property and a Hearing on 11 January 2024, the Tribunal imposed the following RSEO: *“The Landlord must on or before 28 March 2024 carry out all of the following:- 1. Install electrical mains supplied, inter-connected hard wired or, wireless long life battery, smoke and heat detectors within the Property in accordance with current Scottish Government regulations for residential property; 2. Renew or repair the front door and surrounds of the Property so that the front door fits the doorway and is capable of providing adequate security; 3. Repair or renew the defective flooring in the living room to ensure that it is free from trip hazards; 4. Repair or replace the washing machine and the cooker so that both are fully functional and not in a state of disrepair; 5. Engage a suitably qualified window contractor to repair or replace all windows in the Property to ensure that the windows are wind and watertight, are in proper working order and are capable of opening and closing securely and safely, to include all necessary new ironmongery and draught proofing to ensure that the Property is capable of being properly ventilated; 6. Reglaze the kitchen window; 7. Produce a current Electrical Installation Condition Report for the Property. The Report requires to be prepared by an electrician registered with SELECT, NICEIC NAPIT or other accredited registered scheme who is either employed by a firm that is a member of such accredited scheme or is a self-employed member of such a scheme. The Report requires to have no recommendations in the C1 or C2 category and, where applicable, the outcome in respect of the*

*individual areas should be appropriately marked with a “tick” if in an acceptable condition. 8. Produce a current Portable Appliance Test Certificate for the Landlord’s appliances in the Property. The Certificate requires to be prepared by an electrician registered with SELECT, NICEIC NAPIT or other accredited registered scheme who is either employed by a firm that is a member of such accredited scheme or is a self-employed member of such a scheme and should confirm that all such appliances are safe to use. 9. Make good all décor disturbed as a result of these works.”*

4. A Re-inspection of the Property and a Hearing by telephone took place on 30 August 2024 10.00 a.m. The outcome of that Re-Inspection and Hearing was that the Tribunal determined not to vary, revoke or discharge the RSEO. The Tribunal imposed a Rent Relief Order to the extent of 40% of the monthly rent thus reducing the monthly rent of £450.00 by £190.00 to £260.00.

5. A further Re-Inspection took place on 16 March 2026. At that Inspection, the Tribunal was satisfied that the work required by the RSEO had been completed. Following that Re-Inspection, the Landlord submitted a satisfactory EICR.

6. Having found that the works required by the RSEO have been carried out, the Tribunal issued a certificate of completion in terms of Section 60 of the Act and discharged the Rent Relief Order.

7. The decision of the Tribunal is unanimous.

## **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. 3 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.

K Moore

Karen Moore

Chairperson

15 April 2026