

Housing and Property Chamber First-tier Tribunal for Scotland



REPAIRING STANDARD ENFORCEMENT ORDER

Chamber Reference number: FTC/HPC/RT/22/2939

Parties:

1. Dumfries and Galloway Council per its employee Ms. Amanda Green, Landlord Registration Officer, Strategic Housing, Municipal Chambers, Buccleuch Street, Dumfries, DG1 2AD as third-party applicant in terms of Section 22(1A) of the Act (“the Third -party Applicant”);
2. Ms. Joanna Parker, residing at 2B, Dildawn Estate, Kelton, Castle Douglas, DG7 1SE (“the Tenant”) and
3. Mr. William Moultrie, residing at Dildawn House, Kelton, Castle Douglas, DG7 1SE (“the Landlord”), together referred to as “the Parties”.

Property: 2B, Dildawn Estate, Kelton, Castle Douglas, DG7 1SE being part and portion of the subjects registered in the Land Register of Scotland under title sheet number KRK9474.

Tribunal Members

K: Moore (Chairperson) and N: Allan (Ordinary Member)

Notice to Landlord

Mr. William Moultrie, residing at Dildawn House, Kelton, Castle Douglas, DG7 1SE

Whereas in terms of its decision dated 23 November 2022, the First-tier Tribunal for Scotland determined that the Landlord had failed to comply with the duty imposed by Section 14 (1)(b) of the Housing (Scotland) Act 2006 in respect of Sections 13 (1) (a), 13 (1) (c) 13(1) (f) and 13(1) (h) of the Act, the First-tier Tribunal now varies the RSEO and amends the time limit for compliance with the RSEO to 14 April 2023.

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.

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.

In Witness Whereof these presents printed on this and the preceding page are subscribed by K. Moore, Chairperson of the tribunal, at Glasgow on 6 January 2023 before this witness, N. Moore, solicitor,