

Housing and Property Chamber First-tier Tribunal for Scotland



Repairing Standard Enforcement Order (RSEO) made under Section 24 of the Housing (Scotland) Act 2006

Chamber Reference number: FTS/HPC/RP/23/0001

Re: Property at Flat 4/1, 49 Meadowside, Dundee DD1 1EQ (“the Property”)

Title No: ANG37960

The Parties:

Ms Amy Dare and Ms Chenoa Beedie, both Flat 4/1, 49 Meadowside, Dundee DD1 1EQ (“the Tenants”)

Sean Gordon Lewis, t/a Sean Lewis Property, 21a Camperdown Street, Dundee DD1 3JA Property (“the Landlords”)

**Tribunal Members: George Clark, Legal Member
Robert Buchan, Ordinary (Surveyor) Member**

Whereas in terms of their Decision dated 18 April 2023, The First-tier Tribunal for Scotland (Housing and Property Chamber) (‘the Tribunal’) determined that the Landlord has failed to comply with the duty imposed by Section 14 (1)(b) of the Housing (Scotland) Act 2006 (‘The Act’), the Tribunal now requires the Landlord to carry out such work as is necessary for the purposes of ensuring that the house concerned meets the repairing standard and that any damage caused by the carrying out of any work in terms of this Order is made good.

In particular, the Tribunal requires the Landlord to

1. carry out repairs to or replacement of the roofing felt and roof pertinentents above the kitchen of the Property, to ensure that the roof is water-tight;
2. replaster the ceiling in the kitchen of the Property;
3. carry out redecoration of the kitchen ceiling following replastering and of areas affected by the ingress of water; and
4. exhibit to the Tribunal a certificate provided by a suitably qualified SELECT, NICEIC or NAPIT registered electrical contractor that the ceiling lights in the kitchen and bathroom of the Property are in proper working order and are safe to use.

The Tribunal orders that the works required by this Order must be carried out within six weeks of the date of service of this Order on the Landlord.

Right of 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.

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, typewritten on this and the preceding page, are subscribed by G B Clark Legal member/Chair of the Tribunal at on 18 April 2023 before this witness, V Clark