

# Housing and Property Chamber

## First-tier Tribunal for Scotland



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

**Repairing Standard Enforcement Order (RSEO): Housing (Scotland) Act 2006  
Section 24**

**Reference number: FTS/HPC/RP/22/2510**

**Re: Property at 15 Red Admiral Court, Dundee, DD4 0NN ("the Property")**

**Title No: ANG 84450**

**The Parties:**

**Miss Kitty Massie, 15 Red Admiral Court, Dundee, DD4 0NN ("the Tenant")**

**SGL Investment 2 Ltd, Unit 21A City Quay, Camperdown Road, Dundee, DD1  
3JA ("the Landlord")**

**Tribunal Members:**

**P: Doyle (Legal Member)**

**D: Godfrey (Ordinary Member)**

Whereas in terms of their decision dated 11 November 2022, 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") and in particular that the landlord has failed to ensure that:-

The installations in the property for the supply of water, gas and electricity and for sanitation, space heating and heating water are in a reasonable state of repair and in proper working order, in terms of Section 13(1)(c) of the 2006 Act.

and

The property has satisfactory provision for detecting fires and for giving warning in the event of fire or suspected fire, in terms of Section 13(1)(f) of the 2006 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

(i) Instruct a SELECT, NICEIC OR NAPIT registered electrician to provide an Electrical Condition Installation Report (EICR) following a full inspection of the electrical installation and apparatus throughout the Property and to repair or renew any areas categorised C1 or C2 to ensure the installation and apparatus is fully functioning and meets current regulatory standards

(ii) Instruct a SELECT, NICEIC OR NAPIT registered electrician to inspect the smoke and heat detectors and carry out any necessary work to enable him to certify that the smoke and heat detectors, and carbon monoxide detectors, within the property, are fully functional and located and powered in accordance with the Housing (Scotland) Act 2006 (Modification of the Repairing Standard) Regulations 2019.

(iii) Thereafter to provide the First-tier Tribunal for Scotland (HPC) with a clear EICR and PAT (dated after 4 November 2022) prepared by a suitably qualified SELECT, NICEIC or NAPIT registered contractor.

All within 28 days of service of this order.

The tribunal order that the works specified in this Order must be carried out and completed within the period of 28 days from the date of service of this Notice.

**A landlord, tenant or third party applicant 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.**

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.

**Please note that in terms of section 28(1) of the Act, a landlord who, without reasonable excuse, fails to comply with a RSEO commits an offence liable on summary conviction to a fine not exceeding level 3 on the standard scale. A landlord (and that includes any landlord's successor in title) also commits an offence if he or she enters into a tenancy or occupancy arrangement in relation to a house at any time during which a RSEO has effect in relation to the house. This is in terms of Section 28(5) of the Act.**

In witness whereof these presents type written on this and the preceding page are executed by P: Doyle, solicitor, , Edinburgh, chairperson of

the tribunal at Edinburgh on 11 November 2022 before Er Doyle,

\_\_ witness \_\_

\_\_ chairperson