

# Housing and Property Chamber

## First-tier Tribunal for Scotland



### Statement of Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) under section 60(5) of the Housing (Scotland) Act 2006

**Chamber Ref: FTS/HPC/RT/22/0870**

**37 Main Road, Collin, DG1 4JL being part of the subjects described in the Disposition by James Francis Mundell Mundell in favour of James Frederick Stodart Mundell recorded in the Division of the General Register of Sasine for the County of Dumfries on 18<sup>th</sup> December 1995 (“the Property”)**

#### **The Parties:-**

**Peter Geddes residing at 37 Main Road, Collin, DG1 4JL (“The Tenant”)**

**James Mundell residing at Braehead Farm, Collin, Dumfries, DG1 4JN (“The Landlord”)**

**Dumfries and Galloway Council, Municipal Chambers, Buccleuch Street, Dumfries, DG1 2AD (“The Third Party”)**

#### **Tribunal Members:**

**Jacqui Taylor (Chairman) and Donald Wooley (Ordinary Member)**

1. The Tribunal issued a Repairing Standard Enforcement Order (‘RSEO’) in respect of the Property which required the Landlord to:-
  - 1.1 Repair or renew the rear door leading from the kitchen to the garden, ensuring that it is wind and water tight, in a reasonable state of repair and in proper working order.
  - 1.2 Repair or renew the timber window frames, sills, surrounds and operating mechanisms as necessary, at both the kitchen and the bedroom nearest to the kitchen, ensuring that they are in a reasonable state of repair and proper working order.
  - 1.3 Replace the broken and missing section of rainwater goods at the rear of the property, ensuring that there is a permanent and satisfactory connection between the downpipe and the existing eaves guttering.
  - 1.4 Repair or renew loose, defective or missing slates ensuring that the roof is in a wind and watertight condition, in a reasonable state of repair and in proper working order.

- 2 The Tribunal ordered that the works specified in the RSEO were to be carried out and completed by 15<sup>th</sup> September 2022.
- 3 The Tribunal inspection the Property on 7<sup>th</sup> October 2022 and 3<sup>rd</sup> March 2023. The reinspection reports are annexed and executed as relative hereto.

#### **4. Decision**

The Tribunal are satisfied that requirements of the RSEO have been satisfactorily completed and determined to certify that the terms of the RSEO have been completed.

5. The decision of the Tribunal was unanimous.

#### **6. Appeals**

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

Signed.....  
Chairperso

.....Date 24<sup>th</sup> March 2023