

# Housing and Property Chamber First-tier Tribunal for Scotland



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

**Notice of Variation of Repairing Standard Enforcement Order:  
Section 25 Housing (Scotland) Act 2006**

**prhp ref: RP/16/0148**

**Re 34 Reids Avenue, Stevenston, Ayrshire, KA 20 4BH being the subjects registered in the Land Register of Scotland under title number AYR78871 ('the Property')**

**The Parties:-**

**Mr Peter Semple, residing at the Property ('The Tenant')**

**Mr Alan Speirs and Mrs Margaret Speirs, residing at 66 Granagh Road, Cullybackey, Balamena, Northern Ireland, BT42 1PR per their agents, Ayrshire Lettings by Alba, 24 Wellington Square, Ayr, KA7 ('The Landlord')**

**The Committee: Martin J. McAllister, Chairperson and Kingsley Bruce, Surveyor Member.**

The First-tier Tribunal for Scotland (Housing and Property Chamber) ('the tribunal') determines that the period for compliance with the repairing standard enforcement order dated 16<sup>th</sup> August 2016 be extended to 10<sup>th</sup> February 2017.

**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.**

In witness whereof these presents type written on this page are executed by Martin Joseph McAllister, solicitor, legal member of the First-tier Tribunal for Scotland (Housing and Property Chamber), at Kilwinning on 9<sup>th</sup> December 2016 before this witness:-

\_\_\_ witness

MJ McAllister

Audrey Boylan  
83 Main Street,  
Kilwinning

# Housing and Property Chamber

## First-tier Tribunal for Scotland

---



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

**Statement of Decision under Section 25 (1) of the Housing (Scotland) (Act) 2006**

**prhp ref: RP/16/0148**

**Re 34 Reids Avenue, Stevenston, Ayrshire, KA 20 4BH being the subjects registered in the Land Register of Scotland under title number AYR78871 ('the Property')**

**The Parties:-**

**Mr Peter Semple, residing at the Property ("The Tenant')**

**Mr Alan Speirs and Mrs Margaret Speirs, residing at 66 Granagh Road, Cullybackey, Balamena, Northern Ireland, BT42 1PR per their agents, Ayrshire Lettings by Alba, 24 Wellington Square, Ayr, KA7 ("The Landlord")**

**The Committee: Martin J. McAllister, Chairperson and Kingsley Bruce, Surveyor Member.**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) ('the tribunal') determines that the period for compliance with the repairing standard enforcement order dated 16th August 2016 be extended to 10th February 2017.**

**Findings in Fact**

- 1. A repairing standard enforcement order in respect of the Property was made on 16<sup>th</sup> August 2016.**
- 2. On 25<sup>th</sup> November 2016 the Landlord's agents advised that the contractor instructed to carry out the work had not completed it and had not advised the agents of its failure.**
- 3. The Landlord's agents produced a copy of documentation from an alternative contractor and advised that the work would be carried out by them.**
- 4. The Tenancy has been lawfully terminated.**

## **Reasons**

**The tribunal considered it reasonable that the Landlord be given more time to complete the work. The tribunal considered it significant that the Tenancy had been lawfully terminated and that no prejudice would therefore be caused to the Tenant.**

**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.**

Martin J. McAllister, Solicitor,  
Legal Member,  
First –tier Tribunal for Scotland (Housing and Property Chamber).