

Housing and Property Chamber
First-tier Tribunal for Scotland



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

REPAIRING STANDARD ENFORCEMENT ORDER
Ordered by the Tribunal

**RE: All and Whole the dwelling house known as 122 Hayfield Terrace,
Denny FK6 5PB registered in the Land Register under Title no STG28080**

The Parties:

Falkirk Council, Suite 2, Callendar Business Park, Falkirk FK1 1 XR ("the Third Party")

Marie Barrett and Paul Barrett, 6 Clayton Park, Bridge of Earn, Perth PH2 9FD ("the Landlord")

Reference number: FTS/HPC/RT/23/3111

NOTICE TO MARIE BARRETT AND PAUL BARRETT

WHEREAS in terms of its decision dated 28 November 2023 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 and in particular that the Landlord has failed to ensure that the House meets the repairing standard in that:

"(c) the installations in the house 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"

The Tribunal now requires the Landlord to carry out such work as is necessary for the purposes of ensuring that the House 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:

1 To provide to the Tribunal a Landlord's Gas Safety Certificate which confirms the gas installations at the House to be satisfactory and which makes no adverse comment regarding the absence of earth bonding or of carbon monoxide detection.

2 To provide to the Tribunal an Electrical Installation Condition Report (EICR) produced by a suitably qualified electrician which confirms the electrical installations at the House to be in safe working order. Guidance as to suitably competent electricians is available in the Scottish Government Statutory Guidance on Electrical Installations and Appliances in Private Rented Property.

The Tribunal orders that the works specified in this Order must be carried out and completed within 31 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 the order is suspended until the appeal is abandoned or finally determined, and where the appeal is abandoned or finally determined by confirming the decision, the decision and the 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 two preceding pages are signed by John Miller McHugh, Chairperson of the Tribunal at Edinburgh on the Twenty Eighth day of November Two Thousand and Twenty Three in the presence of the undernoted witness: