

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Variation of Repairing Standard Enforcement Order ("RSEO"): Housing (Scotland) Act 2006 Section 25

Re: Property at 41, Woodcroft Avenue, Largs, North Ayrshire, KA30 9EW registered in the Land Register for Scotland under Title Number AYR15648 ("the Property")

Chamber Ref: FTS/HPC/RP/22/4474

The Parties

Mr. Robert James Whitney, otherwise known as Bob Whitney, residing at 63 Ritchie Street, West Kilbride, North Ayrshire, KA23 9HF ("the Landlord")

Ms. Susan Thomson ("the former Tenant")

The First-tier Tribunal for Scotland Housing and Property Chamber ('the tribunal') having determined on 20 December 2023 that the **RSEO** relative to the Property dated 25 April 2023 should be varied, the said **RSEO is hereby varied** with effect from the date of service of this Notice in the following respects:-

Item (a) of the RSEO is varied to delete the words "and the Tenant" and "any recommended".

Items (b) and (c) of the RSEO are deleted.

Subsection 25(3) of the Housing (Scotland) Act 2006 as amended ("the Act") does not apply in this case.

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.

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 the house at any time during which an 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 Mrs Aileen Devanny, Chamber President of the Tribunal, at Glasgow on the Twentieth day of December Two thousand and twenty three in the presence of the undernoted witness:-

L McLachlan

A Devanny

_witness

Chamber President

_name in full

_Address
