

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**

Chamber Ref: FTT/HPC/RP/25/0381

Title no: LAN38696

**6B Naylor Lane, Airdrie, North Lanarkshire, ML6 6BA
("the House")**

The Parties:-

Miss Kim Hunter, residing at 6B Naylor Lane, Airdrie, North Lanarkshire, ML6 6BA ("the Tenant")

Mrs Naheed Rashid, residing at 4F Naylor Lane, Airdrie, North Lanarkshire, ML6 6BA ("the Landlord")

Whereas in terms of their decision dated 4 August 2026 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 House:-

- (a) is wind and watertight and in all other respects reasonably fit for human habitation;
- (b) has installations in the House for the supply of electricity and for sanitation, space heating by a fixed heating system and heating water that are in a reasonable state of repair and in proper working order; and
- (c) has fixtures, fittings and appliances provided by the Landlord under the tenancy which 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 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 instruct a suitably qualified electrical contractor who must be registered with SELECT, NICEIC or NAPIT, to carry out a full and thorough inspection of the entire electrical wiring, installations and**

apparatus throughout the Property, including earthing and equipotential bonding to all circuits/installations as appropriate and to repair or renew any parts which are identified in said report found to be of Category C1 or C2 to ensure the installation and apparatus is fully functioning and meets current regulatory standards and to provide an Electrical Installation Condition Report (EICR) to the tribunal confirming that the installations, apparatus and wiring meet current regulatory standards.

The entire heating installation to be inspected by said electrical contractor and any repair or replacement required, to ensure that the heating provision is fully operational, compliant with contemporary standards and meets the requirements of the Repairing Standard.

- Instruct a contractor to attend and to undertake such repairs/replacements as may be required to ensure that all moving parts are fully operational and in proper working order and that windows are wind and weathertight.**
- To replace cracked/damaged sealed unit double glazed pane in the bedroom of the property.**
- Replace defective sealant around the bath**
- Instruct a plumbing contractor to investigate the cause of water discharging from an overflow pipe at the rear of the property and to undertake such works/repairs as may be required to address the issue.**

The Tribunal order that the works specified in this Order must be carried out and completed within the period of 12 weeks from the date of service of this Notice.

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.

In terms of Section 63 of the Act, 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(s) are executed by Andrew Upton, legal member of the Tribunal, at Glasgow on 4 August 2026