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

Repairing Standard Enforcement Order (RSEO): Housing (Scotland) Act 2006 Section 24

Chamber Ref: FTS/HPC/RP/25/ 0983

Title no/Sasines Description: Title number PTH2033

57/2 King Street, Perth. PH2 8JB ("the House")

The Parties:-

Kelsea Reinke, 57/2 King Street, Perth, PH2 8JB ("the Tenant")

Dr Edward Lowson, c/o Belvoir Perth Estate Agent and Letting, 62 South Street, Perth, PH2 8PD (represented by his agent Belvoir Perth Estate Agent and Letting)("the Landlord")

Whereas in terms of their decision dated 27 September 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:-

(a) The House is wind and watertight and in all other respects reasonably fit for human habitation in terms of Section 13 (1) (a) of the Act.

(b) Any fixtures, fittings and appliances provided by the landlord under the tenancy are in a reasonable state of repair and in proper working order, in terms of Section 13(1) (d) of the Act.

(c) Any furnishings provided by the landlord under the tenancy are capable of being used safely for the purpose for which they are designed in terms of Section 13 (1) (e) of the Act and that

(d) The House meets the tolerable standard in terms of Section 13(1)(h) of the 2006 Act in that-

(i) It has satisfactory provision for natural and artificial lighting, for ventilation and for heating.

(ii) It has an adequate piped supply of wholesome water available within the house.

(iii) It has a sink provided with a supply of both hot and cold water within

the house.

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:-

i. Repair or replace the windows so that they are wind and watertight and capable of being opened and closed properly.
ii. Rectify the plumbing system so that the hot water tap of the basin in the bathroom operates properly.
iii. Repair or replace the floor coverings so that they are in a reasonable state of repair and do not present a trip hazard.
iv. Repair or replace the kitchen cupboard door so that it is in a reasonable state of repair and opens and closes properly.
v. Instruct a suitably qualified heating engineer to inspect the central heating system and
vi. to provide the Tribunal with a report on its operation with any necessary recommendations for work to ensure that it is in a reasonable state of repair and in proper working order. This report should be submitted to the Tribunal for their further deliberation within 3 weeks of the date of this Order.

The Tribunal order that the works specified in this Order must be carried out and completed by 31 December 2026.

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 two pages are executed by Shirley Evans, legal member of the Tribunal, at Edinburgh on 15 October 2026 in the presence of the undernoted witness:-

EDWARD GRATWICK Name in full