Housing and Property Chamber
First-tier Tribunal for Scotland

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

REPAIRING STANDARD ENFORCEMENT ORDER UNDER SECTION 24 (2) OF THE HOUSING (SCOTLAND) ACT 2006

Reference Number: FTS/HPC/RP/25/5483

Land Register Description: 13B Eglinton Street, Irvine, KA12 8AX being the subjects registered in the Land Register of Scotland under Title Number AYR24864 ("the Property")

Parties:
Shelby Dickson, 13B Eglinton Street, Irvine, KA12 8AX ("Applicant and Tenant")

Mark Speirs, 11 Burns Street, Irvine, KA12 8RW ("The Landlord and Respondent")

NOTICE TO

Mr Mark Speirs (THE RESPONDENT/LANDLORD)

WHEREAS in terms of its decision dated 19 October 2026, the tribunal determined that the landlord has failed to comply with the duty imposed by section 14 (1) of the Housing (Scotland) Act 2006 in respect of sections 13(1) (a) and (c) of the said Act. The tribunal now therefore requires the landlord to carry out such work as is necessary for the purposes of ensuring that the property meets the repairing standard and that any damage caused by the carrying out of any work in terms of this order is made good.

The tribunal makes a repairing standard enforcement order ("RSEO") in the following terms: -

The landlord must within **12 weeks** of the date of this order carry out all of the following:-

Appoint a suitable qualified structural engineer who is a member of the Institution of Structural Engineers (IStructE) or similar body to inspect, appraise and report on the vertical tapered crack present affecting the common stair and provide a copy of the report to the Tribunal for further consideration. The report to be provided is to form an opinion specifically on the following:

I) the cause of the movement resulting in the vertical crack;

II) whether the movement is likely to be progressive or not;

III) where items (i) and (ii) are unable to be concluded, then detail any further recommended investigation works required to facilitate an opinion being expressed; and

detail any remedial works recommended to remediate the structural crack and ensure that the structure is safe, wind and watertight, reasonably fit for human habitation and in a reasonable state of repair

RIGHT OF APPEAL

In terms of section 46 of the Tribunals (Scotland) Act 2014, a party 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 of 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 date in which the appeal is abandoned or, so determined.

In Witness Whereof these presents typewritten on this and the one preceding page, are executed by Melanie Barbour, legal member of the Tribunal, at Glasgow on 19 OCTOBER 2026 in the presence of the undernoted witness:-

M Barbour