

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**

Reference number: FTS/HPC/RP/22/3634

Re: Property at Flat 3/1 55 Friarton Road, Glasgow, G43 2PP ("the Property")

Title No: GLA88722

The Parties:

Ms Natasha Vrachliotis, residing at Flat 3/1 55 Friarton Road, Glasgow, G43 2PP ("the Tenant")

Newlands Property Holdings Ltd, a company incorporated under the Companies Acts and having their registered office at 1 Merrylee Road, Newlands, Glasgow, United Kingdom, G43 2SH ("the Landlord")

Tribunal Members:

P: Doyle (Legal Member)

A: [REDACTED] McFarlane (Ordinary Surveyor Member)

Whereas in terms of their decision dated 18 January 2023, 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 2006 Act;
 - (b) The structure and exterior of the house are in a reasonable state of repair and in proper working order, in terms of Section 13(1)(b) of the 2006 Act;
- and
- (c) The house meets the tolerable standard, in terms of Section 13(1)(h) of the 2006 Act.

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

- (a) Replace the roof finishes, including the flat roofed areas, and the rainwater goods.
- (b) Dry and repair Internal finishes damaged by exposure to water penetration.
- (c) Replace the loft insulation.
- (d) Install humidistat-controlled extract fans in the kitchen and bathroom.
- (d) Redecorate the inside of the property to remove the signs of water staining.

The tribunal order that the works specified in this Order must be carried out and completed within the period of 4 months 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 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 are executed by P Doyle, solicitor, 24 Haddington Place, Edinburgh, chairperson of the tribunal at Edinburgh on 19 January 2023 before E Doyle,
Edinburgh

____ witness

____ chairperson