

# Housing and Property Chamber First-tier Tribunal for Scotland

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

### Notice of Decision to Vary

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

Ref: **PRHP/RP/16/0119**

Re:- Property at Flat 101, 38 Boyd Street, Largs, KA30 8LE (“**the property**”)

Land Register Title No: AYR79158

The Parties:-

Mr John Cameron residing at Flat 101, 38 Boyd Street, Largs, KA30 8LE (“**the former tenant**”)

And

Mrs Eva Ohnesorge, residing at 62 Ashford Road, Eastbourne, BN21 3TD represented by her letting agent Robert Smith of Property Management Options, 6 Robert Street, Port Glasgow, PA14 5NU (“**the landlord**”)

Tribunal Members

James Bauld, legal member

Nick Allan, surveyor, ordinary member

**Notice to Mrs Eva Ohnesorge residing at 62 Ashford Road, Eastbourne, BN21 3TD represented by her letting agent Robert Smith of Property Management Options, 6 Robert Street, Port Glasgow, PA14 5NU.**

The then Private Rented Housing Committee issued a Repairing Standard Enforcement Order dated 15 September 2016 in respect of the property and varied same to extend the time for completion of the works until 30 April 2020. The Tribunal now further varies the RSEO with effect from the date of service of this notice in the following respect:-

The Tribunal now requires the landlord to carry out the following works:-

1. Erect scaffolding and eaves and gable chimney
2. Remove vegetation growing in chimney, gutter and downpipe
3. Replace slipped and missing slates on front of property
4. Strip eaves slates lay aside then refit
5. Apply liquid fibreglass to gutters at front
6. Strip slates from skews at formers clean and later refit slates
7. Apply liquid fibreglass to front skews at gable chimney and mid slope chimney
8. Re-stool chimney pots including haunching on front and gable chimneys
9. Address pointing issues on both front and gable chimneys
10. Hammer test gable wall at bell cast, hack back to sound and apply rendering coat
11. Remove scaffolding
12. Remove all associated debris

The Tribunal orders that the works specified in this order must be carried out no later than 30 April 2021.

### **Right of Appeal**

In terms of section 46 of the Tribunals (Scotland) Act 2014, a party 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.

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.

Signed .....  
James Bauld, Chairperson

.....Witness

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7 West George Street,  
Glasgow,  
G2 1BA

