

# 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: FTS/HPC/RT/18/1378**

**Title no/Sasines Description: Subjects 13 GLENBUCHTY PLACE,  
FRASERBURGH AB43 9QT. VIEW TITLE ABN 7949**

**13 Glenburchty Place, Fraserburgh AB43 9QT  
("The Property")**

**The Parties:-**

**Aberdeenshire Council, Housing Strategy, Gordon House, Inverurie AB51 3WA  
("the Third Party Applicant")**

**Mr Juris Kuzmickis, 13 Glenburchty Place, Fraserburgh AB43 9QT  
("the Tenant")**

**Mr Colin Todd, 156C Finnart Street, Greenock PA16 8HY  
(represented by their agent Forbes Property, 68 Broad Street, Fraserburgh  
AB43 9AS  
("the Landlord"))**

Whereas in terms of their decision dated ?? August 2018 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 property is:-

- (a) Wind and watertight and in all other respects reasonably fit for human habitation

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:-

- (a) Carry out such repairs as necessary to the roof of the property to prevent water ingress.
- (b) Remove plaster and plasterboard from the rear right hand gable wall and adjacent internal masonry wall in the front bedroom of the property and

make good the wall behind; re-plaster and replace plasterboard and redecorate.

- (c) Replace wallpaper around bath with tiles or shower wall panels.
- (d) Install electric extractor fan in bathroom.

The Tribunal order that the works specified in this Order must be carried out and completed within the period of 60 days 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(s) are executed by Graham Harding, solicitor, c/o 20 York Street, Glasgow, chairperson of the tribunal at Perth, on 30 August 2018 before this witness:-

Graham Harding

Amanda Honeyman      \_ Chairperson

\_ Witness

AMANDA JANE HONEYMAN name in full

7 WHITEFRIARS CR Address

Perth

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