

**Housing and Property Chamber  
First-tier Tribunal for Scotland**

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**First-tier Tribunal for Scotland (Housing and Property Chamber) (“the tribunal”)**

**REPAIRING STANDARD ENFORCEMENT ORDER: Housing (Scotland) Act 2006, Section 24(2)**

**Chamber Ref: FTS/HPC/RT/17/0354**

**Title no/Sasines Description:**

**63 Restalrig Avenue, Edinburgh, EH7 6PN  
ground with house, referred to in the feu disposition to John Lyon recorded 17 February 1926 in the General Register of Sasines for the County of Midlothian (“The House”)**

**The Parties:-**

**City of Edinburgh Council, Private Rented Services, 101 Niddrie Mains Road, Edinburgh, EH16 4DS  
 (“the Third Party Applicant”)**

**Mr Balwant Singh and Mrs Rajwant Kaur Singh, 54 Durham Square, Edinburgh, EH15 1PP  
 (“the Landlord”)**

**represented by Lucky Singh and Sanjay Singh, c/o 54 Durham Square, Edinburgh, EH15 1PP  
 (“the Landlord’s representative”)**

**Ms Julie Graham, 63 Restalrig Avenue, Edinburgh, EH7 6PN, Tenant of the House (“the interested party”)**

**as represented by Ms Leslie Davis, Social Work, City of Edinburgh Council, East Neighbourhood Office, 101 Niddrie Mains Road, Edinburgh, EH16 4DS  
 (“the interested party’s representative”)**

**NOTICE TO Mr BALWANT SINGH AND MRS RAJWANT KAUR SINGH**

**(the LANDLORD)**

**WHEREAS** in terms of its decision dated                    January 2018 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 and in particular that the Landlord has failed to ensure that the House meets the repairing standard in that:

*“.. (c) the installations in the house for the supply of water, gas and electricity and for sanitation, space heating and heating water are in a reasonable state of repair and in proper working order,  
(d) any fixtures, fittings and appliances provided by the landlord under the tenancy are in a reasonable state of repair and in proper working order ...  
(f) the House has satisfactory provision for detecting fires and for giving warning in the event of a fire or suspected fire  
(g) the house has satisfactory provision for giving warning if carbon monoxide is present in a concentration that is hazardous to health.”*

the tribunal now requires the Landlord to carry out such work as is necessary for the purposes of ensuring that the House 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:

1. to replace the three thumb turn controls on the central heating boiler and ensure that the central heating boiler is in good working order.
2. to repair or replace the gas hob and ensure that the gas hob is in good working order.
3. after the work specified in numbers 1 and 2 has been completed, to obtain a new gas safety certificate from a Gas Safe Registered Engineer which shows that the central heating boiler and gas hob are safe to use and that no warning notices have been issued.
4. to remove or blank off the socket which is situated behind the radiator pipe in the front upstairs bedroom and to provide at least two accessible double electrical sockets within the room.

5. to secure the electrical socket behind the chest freezer with at least two screw fixings affixed to the back plate and to ensure that the electrical wiring to the socket is suitably clipped or contained in a conduit.
6. To securely fix the central ceiling light in the front living room so that it is not loose.
7. To install an interlinked smoke detector in the front living room.
8. To install an appropriately positioned carbon monoxide detector in the kitchen in which the gas boiler is situated, having regard to the Scottish Government guidance in respect of the same.
9. To produce to the tribunal a fresh EICR covering all electrical work from an electrician certified by SELECT or NICEIC.
10. To produce to the tribunal a new PAT test of all portable electrical appliances provided by the Landlord under the tenancy.
11. To clamp and support the flexible pipework serving the washing machine; to replace the copper wire with a clamp fixing and to remove the paper from the u-bend.
12. To repair or replace the tiled bathroom floor so that there are no loose or uneven tiles.
13. To rake out and remove the deficient bath seal and re-seal to ensure that the seal is fully watertight on completion.
14. To remove all building debris and associated stored items and redundant appliances from the House.

The tribunal orders that the works specified in this Order must be carried out and completed within 30 days from the date of service of this Notice.

## Right of Appeal

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.

In witness whereof these presents type written on this and the preceding three page(s) are executed by Susanne L M Tanner, Queen's Counsel, legal member and chairperson of the tribunal at Edinburgh

**S Tanner**

Legal member and chairperson

signed on 24 January 2018 before this witness:-

witness

MARTA T PTASZYK name in full

John's Place 7/16 Address

EH6 7EN EDINBURGH