

Housing and Property Chamber
First-tier Tribunal for Scotland



Repairing Standard Enforcement Order (RSEO) made under Section 24 of the Housing (Scotland) Act 2006

Chamber Ref: FTS/HPC/RT/21/2262

Property: 1 Hill Square, Dundee DD3 6RT (“the property/house”)

Sasine Description: ALL and WHOLE the dwellinghouse and others known as 11 Hill Square, Dundee in the County of Angus, being the subjects more particularly described in and disposed by Disposition by Hillcrest Housing Association Limited in favour of Robert Love Pitkethly and Betty Goldie Pitkethly recorded in the Division of the General Register of Sasines applicable to the County of Angus on 10 March 1993 (SS85981)

The Parties:-

Dundee City Council, 3 City Square, Dundee DD1 3BA (“the Third Party Applicant”)

Mr Rahman Safiu, 1 Hill Square, Dundee DD3 6RT (“the Tenant”)

Mr Robert Pitkethly, 5/6 Saunders Street, Edinburgh EH3 6TT (“the Landlord”)

Tribunal Members:

George Clark (Legal Member/Chairman) and Robert Buchan (Ordinary Member)

Whereas in terms of their Decision dated 10 February 2022, 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”), 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:

1. Carry out such works as are required to ensure the kitchen units and worktops are in a reasonable state of repair and in proper working order.
2. Repair or replace the defective window latch in the front bedroom.
3. Replace the floorcovering in the kitchen.

The Tribunal orders that the works required by this Order must be carried out within three months of the date of service of this Order on the Landlord.

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.

IN WITNESS WHEREOF these presents, typewritten on this and the preceding page, are subscribed by George Barrie Clark, Legal member/Chair of the Tribunal at Lasswade on 10 February 2022 before this witness, Valerie Elizabeth Jane Clark, Droman House, Lasswade, Midlothian.

G Clark

Signed: 

Legal Member/Chair: George Clark