

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Statement of Decision: Housing (Scotland) Act 2006

Chamber Ref: FTS/HPC/RP/17/0337

Title no/Sasines Description: SS161

Property: 23 Kirkgate, Currie, Edinburgh EH14 6AP ("The house")

Proprietor: The Earl of Rosebery ("the third party applicant")

The Parties:-

Ms Jill Robert, 23 Kirkgate, Currie, Edinburgh EH14 6AP ("the tenant")

Mr John Steven and Ms Carolyn Steven ("the landlords")

Tribunal Members:

Mark Thorley (Chairman)
Robert Buchan (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) ('the tribunal') decided to vary the Repairing Standard Enforcement Order dated 9 May 2018 ("the order") by extending the period for compliance with the order until 23 July 2023.

Reasons for decision

Following upon the re-inspection that took place on 24 January 2023 it was evident that a significant amount of work to the property has been undertaken which has included:

1. Plaster has been stripped from the walls, damp-proofing has been fitted and most of the stripped walls have been re-plastered.
2. New windows have been fitted.
3. New doors have been fitted.

There remains outstanding works to be undertaken namely:

1. Some the re-lining of the walls is to be finished together with reinstatement of some of the electrical fittings.
2. Dampness and rot to the areas of the interior below the chimney stacks will be attended to once the roofing work has been carried out.

3. Repairs to the roof.

As narrated there has been already a significant amount of work undertaken to the property. Additional work has been carried out including new rainwater fittings, a new kitchen and improvements to the heating system. The property has undergone a significant amount of work so far. There remains work to be undertaken.

Decision

The tribunal, considering the terms of Section 25(1) of the Act, determined that the order should be varied by extending the period for compliance with the order until 24 July 2023.

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.

Where such an appeal is made, the effect of the decision and of the order is suspended until the appeal is abandoned or finally determined, and where the appeal is abandoned or finally determined by confirming the decision, the decision and the order will be treated as having effect from the day on which the appeal is abandoned or so determined.

M. Thorley

Chairperson

Date

6th March 2023