

Housing and Property Chamber
First-tier Tribunal for Scotland



Amended Repairing Standard Enforcement Order (RSEO)

from

the Housing and Property Chamber of the First-tier Tribunal for Scotland

(Hereinafter referred to as “the Tribunal”)

Under section 24(1) of the Housing (Scotland) Act 2006 and section 44(1)(c) of the
Tribunals (Scotland) Act 2014

Chamber Reference Number: FTS/HPC/RP/18/1221

Property at 3/2, 15 Gallowflat Street, Rutherglen, Glasgow G73 3DX

Land Register Title Number : LAN50093

The Parties:

Stephen Murphy, 3/2, 15 Gallowflat Street, Rutherglen, Glasgow G73 3DX
(“the Tenant”)

Mr Alasdair Laurenson and Mr Robert Laurenson, c/o Slater Hogg & Howison, 10
Brouster Gate, East Kilbride, South Lanarkshire G74 1LD
(“the Landlord”)

(represented by Countrywide p.l.c. trading as Countrywide & Slater Hogg Lettings, 26
Springfield Court, Glasgow G1 3DQ)

Whereas in terms of their decision dated 7th September 2018 the First-tier Tribunal for
Scotland (Housing and Property Chamber) (“the tribunal”) determined that the Landlord
had 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 meets the Repairing Standard with reference to the following
provisions of section 13 of the Act, as amended:-

- (c) The installations in the house; and
- (c) Any fixtures, fittings and appliances.

The tribunal now requires the Landlord to carry out such work as is necessary for the purpose of ensuring that the Property 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:

- (i) To securely attach the kitchen unit and drainer to the kitchen unit;
- (ii) To repair or replace the kitchen strip light;
- (iii) To install additional heating or upgrade the current heating system within the living room to provide adequate heating therein;
- (iv) To instruct a window conditioning specialist report to comment on condensation between the window panes and on the rubber seals on the front window within the living room within the Property;
- (v) To repair or replace all windows in accordance with the aforesaid specialist report.

The tribunal order that the works specified in this Order must be carried out and completed **within the period of two months** 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 the 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 the 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 all in terms of Section 28(5) of the Act.

In witness whereof these presents typewritten on this and the preceding pages are executed by Joseph Christopher Hughes, Solicitor Advocate, Legal Member and Chairperson of the the tribunal at Glasgow on 7th September 2018 in the presence of the undernoted witness: -

(sgd) J. Perrie Witness
Julie Perrie
1028 Tollcross Road,
Glasgow G32 8UW

(sgd) Joseph C. Hughes Chairperson

In witness whereof these presents typewritten on this and the preceding page(s) are executed by Lori Charles, ordinary and sole continuing member of the tribunal which made this order, Glasgow Tribunal Centre, 20 York Street, Glasgow, G2 8GT on 26 June 2019 before this witness:-

L Charles

A Thomson

Ordinary member

_____ witness

A Thomson
_____ witness’ name in full

Glasgow Tribunal Centre, 20 York Street, Glasgow, G2 8GT
_____ address of witness