

Housing and Property Chamber
First-tier Tribunal for Scotland



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

Repairing Standard Enforcement Order: Housing (Scotland) Act 2006 Section 24 (2)

Reference number: FTS/HPC/RT/19/3628

Re: Property at Flat 3/3, 573 Cathcart Road, Glasgow G42 8SG ("House")

The Parties:

Glasgow City Council, Development Regeneration Services – Private Housing, 2nd Floor, 231 George Street, Glasgow G1 1RX ("Third Party Applicant")

Mrs Cristina Fechete, Flat 3/3, 573 Cathcart Road, Glasgow G42 8SG ("Tenant")

Mrs Manjit Kaur, 4 Beckfield Walk, Glasgow G33 1SU ("Landlord")

The First-tier Tribunal for Scotland (Housing and Property Chamber) ('the Tribunal') comprising: Joan Devine (Legal Member); Geraldine Wooley (Ordinary Member)

The First-tier Tribunal for Scotland (Housing and Property Chamber) ('the Tribunal') comprising: Joan Devine (Legal Member); Geraldine Wooley (Ordinary Member)

NOTICE TO: Mrs Manjit Kaur ("Landlord")

Whereas in terms of its decision dated 18 February 2020, the Tribunal determined that the Landlord had failed to comply with the duty imposed on her 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 :

- The House is not wind and watertight and in all other respects reasonably fit for human habitation
- The installations in the House for the supply of water, gas and electricity and for sanitation, space heating and heating water are not in a reasonable state of repair and in proper working order
- Fixtures, fittings and appliances provided by the Landlord under the tenancy are in not a reasonable state of repair and in proper working order

The Tribunal now requires the Landlord to carry out such work as is necessary for the purpose 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 before the date specified in this order.

In particular the Tribunal requires the Landlord to :

- 1. Replace the broken window in the kitchen.**
- 2. Fit a shower curtain or screen in the bathroom.**
- 3. Provide a full and legible copy of the gas safety certificate dated 12 February 2020.**

The Tribunal orders that the works specified in this order must be carried out and completed within the period of 21 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 are executed by Joan Devine, Solicitor, Cornerstone, 107 West Regent Street, Glasgow G2 2BA, Legal Member of the Tribunal at Glasgow on 24 February 2020 before Laura Smith, Cornerstone, 107 West Regent Street, Glasgow G2 2BA

Joan Devine

Laura Smith

Joan Devine, Legal Member

Witness