

Housing and Property Chamber

First-tier Tribunal for Scotland



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

RENT RELIEF ORDER in terms of section 27 of the Housing (Scotland) Act 2006

Chamber Ref: FTS/HPC/RP/22/4346

Property at Flat 5/L, 84 Commercial Street, Dundee, DD1 2AP ("the Property")

Property Description:- Flat 5/L, 84 Commercial Street, Dundee, DD1 2AP situated on the attic floor and forming part of ALL and WHOLE the three houses entering by 84 Commercial Street, Dundee lying in the County of Angus described in the Disposition granted by The Scottish Metropolitan Property PLC to Sale Developments Limited dated Twenty second April and recorded in the Division of the General Register of Sasines for the County of Angus on 20 June both months Nineteen Hundred and Ninety One. ("the Property")

The Parties:-

Mr Conor McConville, Flat 5/L, 84 Commercial Street, Dundee, DD1 2AP ("the Tenant")

Sale Developments Limited, Westburn House, North Dunning, Perthshire, PH2 0QY ("the Landlord")

NOTICE TO:-

Sale Developments Limited, Westburn House, North Dunning, Perthshire, PH2 0QY ("the Landlord")

In terms of its decision dated 9 October 2023, the First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined in terms of section 26(1) of the Housing (Scotland) Act 2006 ("the Act") that the Landlord has failed to comply with the Repairing Standard Enforcement Order in relation to the house. The Tribunal therefore determined to make a Rent Relief Order in terms of Section 27 of the said Act reducing the rent payable under the tenancy for the house by an amount equating to 90% of the monthly rent which would, but for the order, be payable. The rent reduction shall take effect twenty eight days after the last date on which the decision to make the Rent Relief Order may be appealed.

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.

Signed

G Buchanan

Date: 9 October 2023