

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Variation of Repairing Standard Enforcement Order (RSEO): Housing (Scotland) Act 2006 Section 25

Chamber Ref: FTS/HPC/RT/23/0489

Title no: ANG46640

2/2 51 North Street, Dundee DD3 7RS (“the House”)

The Parties:

Dundee City Private Sector Services Unit, 5 City Square, Dundee DD1 3BA (“the Third Party Applicant”)

Fixrole Limited 12 Milton Street, Dundee DD3 6QQ (“the Landlord”)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (‘the Tribunal’) having determined on 20 November 2023 that the RSEO relative to the property dated 12 June 2023 should be varied, the said RSEO is hereby varied with effect from the date of service of this Notice in the following respect:-

1. The steps which the Tribunal requires the Landlord to take in complying with the order are amended as follows:-
 - (i) By the extension of the period for compliance with the RSEO until 31 December 2023.

A landlord, tenant or third party applicant 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.

In terms of Section 63 of the Act, 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 Graham Harding, legal member of the Tribunal, at _____ on 24 November 2023 in the presence of the undernoted witness:-

G Harding

J. W. Harding

witness

Legal Member

J Harding

Name in full

Address