

Housing and Property Chamber

First-tier Tribunal for Scotland



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

**STATEMENT OF DECISION TO VARY A REPAIRING STANDARD
ENFORCEMENT ORDER: Housing (Scotland) Act 2006 Section 25(1)**

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

2/2 51 North Street, Dundee DD3 7RS (“The Property”)

The Parties:-

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

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

Tribunal Members

Graham Harding (Legal Member)

Sara Hesp (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (‘the Tribunal’) decided to vary the Repairing Standard Enforcement Order (“RSEO”) dated 12 June 2023 (“the order”) by extending the period for compliance with the order until 31 December 2023.

Reasons for Decision

The order that was granted involved the Landlord carrying out repairs to the property and to provide the Tribunal with an Electrical Installation Condition Report (“EICR”) that was dated after the date of the order and a Portable Appliance Test Certificate.

The Landlord’s representative has advised the Tribunal that the repairs have been completed but has not provided the requested EICR.

The Tribunal considers that in the circumstances it is reasonable in terms of Section 25(1) of the Act to vary the order to give the Landlord time to provide the EICR. The Tribunal will then consider what further steps to take.

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 31 December 2023

Right of Appeal

- 1. 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.**

Effect of section 63

- 2. 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.**

G Harding

Signed

Date 24 November 2023

Chairperson