

Housing and Property Chamber First-tier Tribunal for Scotland



REPAIRING STANDARD ENFORCEMENT ORDER

Chamber Ref: FTS/HPC/RT/23/2735

Re: Property at Flat 0/1, 12, Riccarton Street, Glasgow, G42 7NX registered in the Registers of Scotland under Title Number GLA96564 ("the Property")

The Parties:

Glasgow City Council, Neighbourhood, Regeneration and Sustainability Services, 231, George Street, Glasgow, G1 1RX ("the Third-party Applicant")

Mr. James O'Donnell residing at the Property ("the Tenant")

And

Ms. Subajini Thileepan, residing at 1C, Whitelaw Road, Dunfermline, Fife, KY11 4RN ("the Landlord")

Tribunal Members:

Karen Moore (Chairperson) and Kingsley Bruce (Ordinary and Surveyor Member)

Notice to Landlord

Ms. Subajini Thileepan, residing at 1C, Whitelaw Road, Dunfermline, Fife, KY11 4RN

Whereas in terms of its decision dated 21 February 2024, the First-tier Tribunal for Scotland determined that the Landlord had failed to comply with the duty imposed by Section 14 (1)(b) of the Housing (Scotland) Act 2006 in respect of Sections 13(1)(a) and 13(1) (d) of the Act, the First-tier Tribunal now requires the Landlord to carry out the following works or other such works as are necessary for the purposes of ensuring that the Property meets the Repairing Standard and that any damage caused by carrying out of the works in terms of the Order is made good.

The Landlord must on or before 28 March 2024 carry out all of the following:-

1. Install electrical mains supplied, inter-connected hard wired or, wireless long life battery, smoke and heat detectors within the Property in accordance with current Scottish Government regulations for residential property;

2. Renew or repair the front door and surrounds of the Property so that the front door fits the doorway and is capable of providing adequate security;
3. Repair or renew the defective flooring in the living room to ensure that it is free from trip hazards;
4. Repair or replace the washing machine and the cooker so that both are fully functional and not in a state of disrepair;
5. Engage a suitably qualified window contractor to repair or replace all windows in the Property to ensure that the windows are wind and watertight, are in proper working order and are capable of opening and closing securely and safely, to include all necessary new ironmongery and draught proofing to ensure that the Property is capable of being properly ventilated;
6. Reglaze the kitchen window;
7. Produce a current Electrical Installation Condition Report for the Property. The Report requires to be prepared by an electrician registered with SELECT, NICEIC NAPIT or other accredited registered scheme who is either employed by a firm that is a member of such accredited scheme or is a self-employed member of such a scheme. The Report requires to have no recommendations in the C1 or C2 category and, where applicable, the outcome in respect of the individual areas should be appropriately marked with a "tick" if in an acceptable condition.
8. Produce a current Portable Appliance Test Certificate for the Landlord's appliances in the Property. The Certificate requires to be prepared by an electrician registered with SELECT, NICEIC NAPIT or other accredited registered scheme who is either employed by a firm that is a member of such accredited scheme or is a self-employed member of such a scheme and should confirm that all such appliances are safe to use.
9. Make good all décor disturbed as a result of these works.

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.

In Witness Whereof these presents printed on this and the preceding pages are subscribed by Karen Moore, Chairperson of the tribunal, at Glasgow on 21 February

2024 before this witness, Norman William Moore,