

# 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)**

**Chamber Ref: FTS/HPC/RP/24/0332**

**12 Southgate, Milngavie, Glasgow, G62 6RB (“the Property”)**

**The Parties:-**

**Ms Julie D’Amour, residing at 12 Southgate, Milngavie, Glasgow, G62 6RB  
 (“the Tenant” and “the Applicant”)**

**Anita Marwaha, 0/2, 40 Derby Street, Glasgow, GB 7TG (“the Landlord” and  
 “the Respondent”)**

**Tribunal Members:**

**Mr Martin McAllister, Solicitor (Legal Member) and Mr Nick Allan, Chartered  
 Surveyor (Ordinary Member) (“the tribunal”)**

## **NOTICE TO**

**Anita Marwaha**

Whereas in terms of its decision dated 12 June 2024, the First-tier Tribunal for Scotland (Housing and Property Chamber) (the Tribunal) determined that the Landlord has failed to comply with the duty imposed by Section 14 (1) (b) of the Housing (Scotland) Act 2006, the Tribunal now makes a repairing standard enforcement order (RSEO) in the following terms and requires the Landlord to carry out such work as is necessary for the purposes of ensuring that the Property meets the repairing standard in terms of Section 13 of the said Act and that any damage caused by the carrying out of any work in terms of this Order is made good.

The Tribunal makes a repairing standard enforcement order (“RSEO”) in the following terms:

The Landlord is required to:

1. Produce to the Tribunal a satisfactory current Gas Safety Certificate for the Property prepared by a suitably qualified gas engineer registered in the Gas Safe Register.
2. Engage a suitably qualified central heating engineer to inspect the central heating system, including the boiler, radiators, external expansion pipe and associated plumbing to ensure that it is in a reasonable state of repair, that the system is fully functioning and includes an appropriate method of controlling the temperature in the Property and thereafter to carry out any necessary repairs. The Respondent is required to submit a report to the Tribunal from the central heating engineer confirming that the system is in a reasonable state of repair, is fully functioning and includes an appropriate method of controlling the temperature.
3. Repair or renew the defective smoke detector in the upper Landing ensuring that it is in satisfactory working order and interconnected with the existing smoke detectors and kitchen heat sensor in accordance with Scottish Government Guidelines.
4. Repair or renew the oven to ensure that it is in efficient working order.
5. Make good the defective flooring in the second bedroom.
6. Ensure that the window and balcony door in the Living room are in good working order.
7. Repair or renew the flooring in the balcony to ensure that it is smooth, weatherproof and appropriately pitched to ensure that the drainage from the balcony is effective.
8. Remove the tree and vegetation growing on the balcony.
9. Replace the window frames and sills that have been crudely repaired with rough-sawn timber with modern units.
10. Clear gutters of vegetation. All guttering should be correctly aligned, and joints checked to ensure that rainwater goods are in proper working order.
11. Repair the defective/failed roughcasting on the supporting pier of the balcony.
12. Replace missing roof tiles.
13. The tribunal determined that the Respondent requires to comply with the RSEO by 15 August 2024.

**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 typewritten on this and the two preceding pages are executed by Martin Joseph McAllister, legal member of the First-tier Tribunal for Scotland, at Stevenston on 12 June 2024 before Geraldine Wooley, ordinary member of the Tribunal, 20 York Street, Glasgow, G2 8GT