

**Housing and Property Chamber**  
First-tier Tribunal for Scotland



**Repairing Standard Enforcement Order (RSEO): Housing (Scotland) Act 2006 Section 24**

**Reference Number: FTS/HPC/RP/24/0962**

**RE: Property at 48 Brown Street, Carluke ML8 5DT**

**(hereinafter referred to as “the Property”).**

**Title Number: LAN191304 in the Land Register of Scotland**

**The Parties:-**

**Michelle Clark, 48 Brown Street, Carluke ML8 5DY  
 (“the Tenant”)**

**Noon Investment Homes Limited (Company number SC330168), 32 Douglas Street, Carluke  
 ML8 5BJ  
 (“the Landlords”)**

**NOTICE TO**

**Noon Investment Homes Limited (Company number SC330168), 32 Douglas Street, Carluke  
 ML8 5BJ  
 (“the Landlords”)**

**Whereas in terms of their decision dated 2 July 2024, the First-tier 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 Act”) and, in particular, that the Landlords have failed to ensure that the installations in the Property for the supply of water, gas and electricity and for sanitation, space heating and heating water are in a reasonable state of repair and in a proper working order, that the electrical supply complies with relevant requirements such that it is safe to use and that any fixtures, fittings and appliances provided by the Landlord under the tenancy are in a reasonable state of repair and in proper working order.**

**The First-tier Tribunal now requires the Landlords to carry out such work as is necessary for the purposes of ensuring that the Property meets the repairing standard under section**

**13(1) of the Act and that any damage caused by carrying out of any work required under this Order is made good.**

**In particular, the First-tier Tribunal requires the Landlords:-**

- 1) To instruct inspection and preparation of a report on the condition and adequacy (with reference to the current Scottish Government Guidance) of the electrical installations within the living room of the Property, being the electrical circuit for the overhead lights and the electrical circuit relative to the power sockets as well as the Consumer Unit within the Property with regards to Residual Current Device(s) protection for those electrical circuits. The inspection and report should be prepared by an appropriately qualified electrician, being a member of NICEIC, SELECT or NAPIT and to submit the report to the Tribunal for further consideration.**
- 2) To repair or replace the overflow for the bath within the bathroom in the Property so that it is connected to an appropriate drainage pipe and is in a reasonable state of repair and proper working order.**
- 3) To repair or replace the carpet and floorplates within the internal hallway within the Property to ensure they are in a reasonable state of repair.**
- 4) To repair the floor within the living room to ensure that it is level and covered by a suitable floor covering to ensure it is in a reasonable state of repair.**
- 5) To finish the installation of the kitchen within the Property by fitting the missing unit/cupboard doors, kickboards under the kitchen units and to connect the overflow from the kitchen sink to an appropriate drainage pipe so that the kitchen is in a reasonable state of repair and proper working order.**

**The First-tier Tribunal order that works specified in this Order must be carried out and completed within the period of two months from the date of service of this Order.**

**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 of 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.**

**Please note that, in terms of Section 28(1) of the Act, a landlord who, without reasonable excuse, fails to comply with a Repairing Standard Enforcement Order (RSEO) commits an offence liable on summary conviction to a fine not exceeding level 3 on the standard scale.**

A landlord (including any successor in title) also commits an offence if he or she or they enter into a tenancy or occupancy arrangement in relation to a house at any time during which a RSEO has effect in relation to a house. This is in terms of Section 28(5) of the Act.

IN WITNESS HEREOF, these presents typewritten on this page and the preceding two pages are executed by Rory A. B. Cowan, Legal Member of the First-tier Tribunal: Housing and Property Chamber at Glasgow on 2 July 2024 before this witness:

Date: 2 July 2024

ALEXANDRA WOOLEY..... Name of Witness