

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 Sections 25 and 26

Chamber Reference: FTS/HPC/RP/23/2044

Re: Property at 8 Woodside Terrace, Cardenden, Lochgelly KY5 0LZ (“the Property”)

The Parties:

Kathleen Reilly, 1 Inchdairnie Cottage, Inchdairnie, Fife KY50UL (“the Landlord”)

Pawel Kwiatowski, 8 Woodside Terrace, Cardenden, Lochgelly KY5 0LZ (“the Tenant”)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the tribunal”) having determined that the Repairing Standard Enforcement Order relative to the property should be varied, said Repairing Standard Enforcement Order is hereby varied with effect from the date of service of this Notice in the following respects:-

The period of time within which the landlord must

1. Carry out such repairs as are necessary to ensure the fence between the property and the neighbouring property at 6 Woodside Terrace is in proper working order and in a reasonable state of repair and
2. Instruct a suitably qualified professional to inspect the wall bordering the property and the neighbouring property at 6 Woodside Terrace to check whether the wall is structurally secure or at risk of collapse and to carry out such repairs as are necessary to ensure the wall functions as a stable boundary wall between the properties.

is extended until **16 September 2024**.

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.

In witness whereof these presents type written on this and the preceding page(s) are executed by Mary-Claire Kelly, legal member of the Tribunal, at Glasgow on 19 August 2024 in the presence of the undernoted witness:-

Christopher Tracey

witness

Mary-Claire Kelly

Christopher Tracey
Glasgow Tribunal Centre
20 York Street
Glasgow
G2 8AT