

# Housing and Property Chamber First-tier Tribunal for Scotland

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## **Rent Relief Order ordered by the First tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”)**

### **In connection with**

Re: Property at 3F1, 13 Gillespie Crescent, Edinburgh EH10 4HT, registered in the Land Register for Scotland under Title Number MID101053 (“the Property”)

Chamber Ref: FTS/HPC/RT/19/3633

### The Parties

City of Edinburgh Council. East Neighbourhood Office, 101 Niddrie Mains Road, Edinburgh EH16 4DS (“the Third Party Applicant”)

Mr. Mark Edward Fortune, whose whereabouts are unknown (“the Landlord”) as successor to Edinburgh Holiday and Party Lets Limited (SC577943), PO Box 46, 2 Corstorphine High Street, Edinburgh EH12 7ST, sometimes trading as EHPL Ltd, whose sole director was for a time Mr. Mark Edward Fortune (“the former Landlord”)

### **NOTICE TO MR MARK EDWARD FORTUNE (“the Landlord”)**

Whereas in terms of their decision dated 5 June 2024, the Tribunal determined in terms of Section 26(1) of the Housing (Scotland) Act 2006 (the “said Act”) that the Landlord has failed to comply with the Repairing Standard Enforcement Order made by the Tribunal in relation to the Property.

The Tribunal determined to make a Rent Relief Order in terms of Section 27 of the said Act reducing the rent payable by tenants under tenancies relating to the Property by an amount of 33% of the rent which would, but for this order, be payable. The rent reduction will take effect 28 days after the last date on which the decision to make the Rent Relief Order may be appealed under Section 64 of the said Act.

## **APPEAL PROVISIONS**

**A landlord 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.

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Chamber President

Dated: 6 June 2024