

Housing and Property Chamber First-tier Tribunal for Scotland



First-tier Tribunal for Scotland (Housing and Property Chamber)

Revocation of Repairing Standard Enforcement Order (RSEO) and Rent Relief Order (RRO): Housing (Scotland) Act 2006 Sections 25(1)(b) and 27(4)(a)

Chamber Ref: PRHP/RP/16/0321

Title no: DMB65482

141 Braehead, Bonhill, Alexandria, G83 9NB
("the house")

The Parties:-

Ms Ann McLaughlin, residing at the house ("the Tenant")

Mr Calum Watt, CPW Property Investment, Centrum Offices, 38 Queen Street, Glasgow, G1 3DX, represented by his agent, Mr John Haughey, Infiniti Property Services ("the Landlord")

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") having determined on 17 September 2024:-

- (1) that the works required by the **Repairing Standard Enforcement Order** relative to the House dated 24 January 2017 are no longer necessary and that said **Repairing Standard Enforcement Order** should accordingly be revoked, the said **Repairing Standard Enforcement Order** is hereby revoked with effect from the date of service of this Notice in terms of Section 25(1)(b) of the Housing (Scotland) Act 2006 ; and
- (2) having revoked the said **Repairing Standard Enforcement Order**, that the related **Rent Relief Order** dated 16 August 2017 must also be revoked in terms of Section 27(4)(a) of the Housing (Scotland) Act 2006.

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.

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 preceding page are executed by Nicola Weir, Legal Member of the Tribunal, at Glasgow on 17 September 2024 in the presence of this witness:

N Weir

Legal Member