

Housing and Property Chamber First-tier Tribunal for Scotland



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

**Statement of Reasons for Variation of Repairing Standard Enforcement Order:
Housing (Scotland) Act 2006 Section 25**

Chamber Ref: FTS/HPC/RP/24/0962

**RE: Property known as 48 Brown Street, Carluke ML8 5DT
("The Property")**

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")**

The First-tier Tribunal for Scotland (Housing and Property Chamber) ('the tribunal') having considered the Landlord's application dated 26 August 2024 to vary the Repairing Standard Enforcement Order (RSEO) relative to the House served on 3 July 2024 determines that the RSEO should be varied to allow the Landlord a further 28 days to complete the works required by the order for the following reasons:

- Works have been carried out to the Property in partial compliance with the RSEO.
- Further works have been carried out to the Property in addition to those specified in the RSEO in line with observations made by the Tribunal and to the benefit of the Tenant.
- Attempts have been made to comply with paragraph 1 of the RSEO, but the party instructed has not completed same.
- The further time allowed is a short period.
- The RSEO remains in place meantime.

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.

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.

Signed, **R Cowan** Date.....3 September 2024.....

Chairperson