



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) in terms of Section 25 of the Housing (Scotland) Act 2006

Reference number: FTS/HPC/RP/23/0116

Re: Property at 7 Ledi Road, Mansewood, Glasgow G43 2BJ (Registered in the Land Register of Scotland under title number GLA237454) (“Property”)

The Parties:

John Lawrence Anunobi, 7 Ledi Road, Mansewood, Glasgow G43 2BJ (“Tenant”)

Govan Law Centre, Orkney Street Enterprise Centre, 18-20 Orkney Street, Glasgow G51 2BX (“Tenant’s Representative”)

George Ford, 66 Priorwood Road, Newton Mearns, Glasgow G77 6ZZ and Helen Flannagan, 9 Ledi Road, Mansewood, Glasgow (“Landlord”)

Joan Devine (Legal Member); Nick Allan (Ordinary Member)

DECISION

The Tribunal determined to revoke the repairing standard enforcement order relative to the Property dated 13 April 2023. The Tribunal's decision is unanimous.

Background

1. By application dated 16 January 2023, the Tenant applied to the Tribunal for a determination that the Landlord had failed to comply with their duties under Section 14(1) of the Housing (Scotland) Act 2006 (“the Act”).
2. Following an inspection and hearing, the Tribunal determined that the Property did not meet the repairing standard as required by Section 13(1) (a) of the Act and that the Landlord had failed to comply with the duty imposed by Section 14(1)(b) of the Act, and in particular that the Landlord had failed to ensure that the Property met the repairing standard in respect of Section 13(1)(a) of the Act. The Tribunal therefore made a repairing standard enforcement order dated 13 April 2023 (“RSEO”) as required by Section 24(2) of the Act.
3. The Tribunal was advised that the Tenant had vacated the Property and obtained alternative accommodation. The Tribunal received an email from the Landlord in which they stated that the Property was not to be relet to a third party and was

being marketed for sale. A copy of the Home Report for the Property was provided.

Decision

4. The Tribunal determined that as the Property is being sold, the work required by the RSEO is no longer necessary. The Tribunal therefore revokes the RSEO in terms of Section 25 of the Act.

Right of Appeal

In terms of Section 46 of the Tribunal (Scotland) Act 2014, a party 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.

J Devine

**Legal Member
14 October 2024**