

Housing and Property Chamber
First-tier Tribunal for Scotland



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

Notice of Revocation of a Repairing Standard Enforcement Order under section 25(1)(b) of the Housing (Scotland) Act 2006

Chamber Ref: FTS/HPC/RP/21/1973

Title: Subjects at Flat 7, 18 Hall Street, Campbeltown, Argyll, PA28 6BU as more particularly described in Disposition by Curator Bonis to Mary Cuthbertson Johnston or McCallum referred to in Feu Con. to which Archibald Queen was a party recorded 10 April 1886 (Deed Reference 04486 No.4 Fi298.17) ("the Property")

Parties:

Graham Barrett, Theresa Barrett, Flat 19, 18 Hall Street, Campbeltown, PA28 6BU (the Respondents)

Tribunal Members:

Ruth O'Hare (Legal Member) and Nick Allan (Ordinary Member)

Whereas in terms of their decision dated 11 December 2024, the First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined that the works required by the Repairing Standard Enforcement Order ("RSEO") dated 29 October 2022 were no longer necessary, the Tribunal therefore determined to revoke the RSEO.

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.

Where such an appeal is made, the effect of the decision and of any order is suspended until the appeal is abandoned or 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 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 type written on this and the preceding page(s) are executed by R O'Hare, Chairperson, c/o Glasgow Tribunals Centre, 20 York Street, Glasgow, G2 8GT on 11 December 2024 before this witness:-

J Spence R O'Hare