

Housing and Property Chamber First-tier Tribunal for Scotland



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

RENT RELIEF ORDER under Section 27 of the Housing (Scotland) Act 2006 as amended (“the Act”)

Chamber Ref: FTS/HPC/RP/23/4027

Re: 43 Buchan Road, Troon, KA10 7BT (“the House”)

Title number: AYR 15272

Miss Vikki Malcolm and Mr Robert Ward, residing at the House (“the Tenant”)

Ms Kathryn Lydon, 18 Benton Street, Hadleigh, IP7 5AT (“the Landlord”)

Tribunal Members:

Nicola Weir (Legal Member) and Donald Wooley (Ordinary Member)

NOTICE TO THE LANDLORD

Whereas in terms of its decision dated 20 November 2024, the First-tier Tribunal for Scotland (Housing and Property Chamber) (‘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 in relation to the House made by the Tribunal.

The Tribunal determined to make a Rent Relief Order in terms of Section 27 of the said Act reducing the rent payable under the tenancy for the house by an amount of **30%** of the rent which would, but for the 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. To ascertain the last date on which the decision can be appealed, please refer to the information note on appeals and reviews, a copy of which is attached.

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.

If an application for permission to appeal is received, then the Tribunal will notify you of this and the eventual outcome of that application and any subsequent appeal.

N Weir

Signed

Legal Member and Chair

Date 22 November 2024