

Housing and Property Chamber
First-tier Tribunal for Scotland



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

**Repairing Standard Enforcement Order (RSEO): Housing (Scotland) Act 2006
Section 24**

Chamber Ref: FTS/HPC/RP/24/5812

Title No: ANG79497

21 Rossie Woods, Montrose DD10 9TS ("The Property")

The Parties:-

Miss Laura Rankin, 21 Rossie Woods, Montrose DD10 9TS ("the tenant")

Rossie Young People's Trust (company registered number SC157602), Rossie School, Montrose DD10 9TW, as Trustee for Rossie Secure Accommodation Services, Charity number SC019969 ("the landlord")

Tribunal Members: Richard Mill (Legal Member) and David Godfrey (Ordinary Member)

NOTICE to ROSSIE YOUNG PEOPLE'S TRUST.

Whereas in terms of its decision of even date the tribunal determined that the landlord has failed to comply with the duty imposed by section 14(1) of the Housing (Scotland) Act 2006 ("The Act"), and in particular that the landlord has failed to ensure that:-

- whether the installations in the house for the supply of water, gas and electricity and for sanitation, space heating or heating water are in a reasonable state of repair and in proper working order.
- whether any fixtures, fittings and appliances provided by the landlord under the tenancy are in a reasonable state of repair and in proper working order.

The tribunal now requires the landlord to carry out such works as are necessary for the purposes of ensuring that the property concerned meets the Repairing Standard and that any damage caused by the carrying out of any work in terms of this Order is made good.

In particular the tribunal now requires the landlord to:-

Carry out repairs to the bathroom to ensure that there are no leaks when operating the shower or bath to include replacement of the perished, loose and mouldy seals and to repair or replace the bath's waste drain and pipe, to make good the flooring and instal suitable flooring on top and to replace the side and end bath panels.

The tribunal orders that the works specified in this Order must be carried out and completed within a period of 4 weeks, with the specified reports to be produced to the tribunal for consideration, and that any redecoration required, as a consequence of the works being undertaken are also completed, from the date of service of this Notice and evidenced to the tribunal.

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.

In terms of section 46 of the Tribunals (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 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.

In witness whereof these presents type written on this and the preceding page(s) are executed by Richard George Mill, solicitor, 69-71 Dalry Road, Edinburgh EH11 2AA, legal member of the Tribunal at Edinburgh on 13 February 2025 before this witness:-

R Mill

Legal Member

C McNaught

Witness

Carly McNaught Name

69-71 Dalry Road, Address

Edinburgh EH11 2AA