

Housing and Property Chamber

First-tier Tribunal for Scotland



Repairing Standard Enforcement Order

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

(Hereinafter referred to as “the tribunal”)

Case Reference Number: FTS/HPC/RP/24/3746

Re: 16 Houston Terrace, East Kilbride G74 1DB (“the house”)

Land Register Title No: LAN112047

Mrs Rossana Idele and Mr Anthony Idele, formerly residing at 16 Houston Terrace, East Kilbride G74 1D (“The former Tenants”)

Mr Allan Firth, 40 Middlefield, Whitehills, East Kilbride G75 0HJ (“The Landlord”)

Tribunal Members – Sarah O'Neill (Legal Member) and Kingsley Bruce (Ordinary (Surveyor) Member)

NOTICE TO: Mr Allan Firth (the landlord)

Whereas in terms of its decision dated 3 April 2025, the Tribunal determined 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 has failed to ensure that the house meets the repairing standard in that:

- the installations in the house for the supply of water, gas and electricity and for sanitation, space heating and heating water are not in a reasonable state of repair and in proper working order
- the fixtures, fittings and appliances provided by the landlord under the tenancy are not in a reasonable state of repair and in proper working order
- the house is not in all other respects reasonably fit for human habitation

The Tribunal therefore makes a Repairing Standard Enforcement Order (RSEO) as required by section 24 (2) of the Act.

The Tribunal now requires the landlord to carry out such work as is necessary for the purpose of ensuring that the house meets the repairing standard, and that any damage caused by the carrying out of any work in terms of this order is made good before the date specified in this order.

In particular, the Tribunal requires the landlord to:

1. Repair or replace the bath panel to ensure that it is in a reasonable state of repair and in proper working order.
2. Repair or replace the gas hob in the kitchen to ensure that it is in a reasonable state of repair and in proper working order.
3. Clean and remove the mould from the walls and ceilings throughout the house and redecorate the affected areas as required.

The Tribunal orders that all of the works specified in this order must be carried out and completed within the period of **six weeks** from the date of service of this notice.

Rights of Appeal

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.

Please note that in terms of section 28(1) of the Housing (Scotland) Act 2006, 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 typewritten on this and the two preceding pages are signed by Sarah Frances O'Neill, solicitor, Chairperson of the First-tier

Tribunal (Housing and Property Chamber), at Glasgow on the third day of April, Two
Thousand and Twenty-Five before this witness –

E Johnston witness **S O'Neill** Chairperson

ERIC JOHNSTON name in full