

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)**

CHAMBER REF: HPC/RT/24/3240

**PROPERTY: - 148 Mount Annan, Drive Glasgow, G44 4SA registered in the
Land Register of Scotland under title number GLA34361 ('The Property')**

THE PARTIES:-

Glasgow City Council, 231 George Street, Glasgow, G1 1RX ('the Applicant').

**Mr Sheik Mohammed Toufique, residing at Flat 1/1, 395 Paisley Road West,
Glasgow, G51 1LR ("the Landlord")**

Mr Syed Azad, 148 Mount Annan, Drive Glasgow, G44 4SA ("the Tenant")

**Tribunal Members: Virgil Crawford (Legal Member) and Greig Adams (Ordinary
/ Surveyor Member).**

NOTICE TO the Landlord

Whereas in terms of their decision dated 20th December 2024 the Tribunal determined that the Landlord has failed to comply with the duty imposed by Section 14 (1)(b) of the Housing (Scotland) Act 2006 and in particular the Landlord has failed to ensure that the Property was wind and watertight and in all other respects reasonably fit for human habitation; the structure and exterior of the Property (including drains, gutters and external pipes) are in a reasonable state of repair and proper working order; the installations in the house for the supply of water, gas and electricity and for sanitation, space heating and heating water are in a reasonable state of repair and proper working order; the fixtures and fittings provided by the Landlord are in a reasonable state of repair and proper working order and the Property meets the tolerable standard in relation to the fire and smoke alarms.

The Tribunal now requires the Landlord to carry out such work as is necessary for the purposes of ensuring that the Property 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 requires the Landlord to: -

- 1. Instruct a competent roofer to review the roofing elements including the chimneystack, ridge and hip tiles, roof tiles, flashings (including raggle detail, fascias and soffits and rainwater goods) and obtain either a report or quotation detailing all works necessary to prevent any active or ongoing moisture pathways into the Property and attend to any visual timber decay evident. A copy of the report/quotation is to be provided to the First-tier Tribunal for Scotland (HPC) for further consideration.**
- 2. Re-align gutters to the Property to prevent notable dips and overflowing whilst ensuring that rainwater discharge is to the downpipes, both to the main roof and front canopy projection. Include for re-forming and re-sealing all leaking joints, including at the junction with the neighbouring gutters to ensure that the rainwater goods are free from any leaks. Include for cleaning out and removing of all vegetation growth and debris accumulation to leave clean and free from impairment.**
- 3. Instruct a Chartered Building Surveyor, Architect or Property Care Association accredited Consultant or Contractor to review the extent of water ingress, water damage and dampness within the Property and produce a report on findings detailing the extent of water damage and dampness evident and suggested remedial works; a copy of the report is to be provided to the First-tier Tribunal for Scotland (HPC) for further consideration.**
- 4. Instruct a suitably qualified SELECT, NICEIC or NAPIT registered electrician to carry out a certified electrical inspection of the entire electrical installation in the property and all electrical appliances and equipment supplied by the landlord and carry out all necessary remedial works to rectify any identified C1 and C2 categorised areas. Thereafter to provide the First-tier Tribunal for Scotland (HPC) with satisfactory EICR and PAT test certificates prepared by a suitably qualified SELECT, NICEIC or NAPIT registered contractor.**
- 5. Overhaul, repair and replace as necessary all windows and doors to ensure that all opening parts are capable of being operated without impairment, prevent draughts and water ingress, including replacing all cracked and defective perimeter sealants.**
- 6. All collapsed, failed and/or water damaged ceilings within the Property (including specifically those to the Kitchen, Bathroom and Bedroom) require to be replaced along with all necessary plastering and decoration works to complete.**
- 7. All boss, missing and damaged wall tiles within the bathroom require to be replaced with re-grouting carried out to all areas of re-tiling and to any existing cracked and defective grout. Include for replacement silicon sealant provided where required.**
- 8. Remove all loose sections of boundary fencing to the rear of the Property, repair or replace as necessary to ensure that there is a continuous, safe and secure boundary enclosure provided.**

9. ***Carry out all works necessary to ensure that there is a satisfactory supply of both hot and cold water to the wash basin and bath within the bathroom and that the taps are fully operational without impairment, replace the damaged/holed bath including replacement of all silicon sealant at bath junctions.***
10. ***Carry out all repairs, overhaul or replacement as necessary to kitchen appliances to ensure that these are in a reasonable state of repair and in working order.***

The Tribunal orders that these works must be carried out and completed by 15th August 2025.

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.

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. In terms of s28(5) of the Housing (Scotland) Act 2006 a landlord (and that includes a landlord's successor in title) also commits an offence if he or she enters into a tenancy or occupancy agreement in relation to a house at any time during which a RSEO has effect in relation to the house.

IN WITNESS WHEREOF these presents typewritten on this and the two preceding pages are subscribed at Stirling on 23rd May 2025 by Virgil Crawford, Chairperson of the Tribunal, in the presence of the witness Ann-Marie Hatton, 20 Viewfield Street, Stirling, FK8 1UA.

Virgil Crawford

Signed....
Chairperson

Anne-Marie Hatton

Witness