

# **Housing and Property Chamber**

## **First-tier Tribunal for Scotland**

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

**Repairing Standard Enforcement Order**

**Housing (Scotland) Act 2006: Section 24 (2)**

**Chamber Ref: FTS/HPC/RP/25/0410**

**G/L, 57 Gateside Street, Largs, North Ayrshire, KA30 9HS registered in the Land Register of Scotland under title number AYR62734 (“the Property”)**

**The Parties:-**

**Mr Derrick McClure, G/L, 57 Gateside Street, Largs, Ayrshire, KA30 9HS (“the Applicant” and “the Tenant”)**

**CHAP, Michael Lynch Centre, 71 Princes Street, Ardrossan, Ayrshire, KA22 8DG (“the Applicant’s Representative”)**

**Mr Robert Maxwell, MX Financial Services, 6 Waterside Street, Largs, KA30 9LN (“the Respondent” and “the Landlord”)**

**Tribunal Members:**

**Mr Martin McAllister, Solicitor (Legal Member) and Mr Nick Allan, Chartered Surveyor (Ordinary Member) (“the tribunal”)**

### **NOTICE TO**

**Robert Maxwell**

Whereas in terms of its decision dated 10 June 2025, the First-tier Tribunal for Scotland (Housing and Property Chamber) (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, the Tribunal now makes a repairing standard enforcement order (RSEO) in the following terms and requires the Landlord to carry out such work as is necessary for the purposes of ensuring that the Property meets the repairing standard

in terms of Section 13 of the said Act and that any damage caused by the carrying out of any work in terms of this Order is made good.

The Tribunal makes a repairing standard enforcement order ("RSEO") in the following terms:

The Landlord is required to:

1. **Ensure that there is a functioning light in the close so that it allows safe access to the Property.**
2. **Repair or replace the front door of the Property to ensure that it is secure and has a functioning deadlock.**
3. **Repair uneven flooring throughout the Property.**
4. **Ensure that carpeting throughout the Property is properly fitted.**
5. **Make good the décor around electrical sockets and the shower switch.**
6. **Replace the detached section of tiling in the bathroom.**
7. **Make good the missing coving and gap in the wall of the bedroom.**
8. **Make good the wall under the bedroom window and properly attach the radiator to the wall.**
9. **Make good the exposed stonework and lath and plaster in the bedroom cupboard to ensure that no dampness or water ingress is possible.**
10. **Replace or repair the living room door to ensure that it fits the door frame and does not have a missing pane of glass.**
11. **Investigate and eradicate the dampness in the living room.**
12. **Re-attach the skirting board in the living room.**
13. **Replace the light fitting in the bathroom with one that is safe and compliant with regulations.**
14. **Make good any defects in décor caused by carrying out repairs to the Property.**
15. **Make good defects in décor caused by historic water ingress.**

**The tribunal determined that the Respondent requires to comply with the RSEO by 30 October 2025.**

**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 typewritten on this and the two preceding pages are executed by Martin Joseph McAllister, legal member of the First-tier Tribunal for Scotland, at                      on 10 June 2025 before Magella Ashby.

M J McAllister      M Ashby