

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/24/5461

Property: 39 Barnton Park Crescent, Edinburgh, EH4 6ER ('The House')

The Parties: -

Lawrence Skilling, 30 Landsdown Place, Lewes, East Sussex, BN7 2JU ('the landlord')

Alex Jones, Catherine Jones formerly of 39 Barnton Park Crescent, Edinburgh, EH4 6ER ('the tenant')

Whereas in terms of their decision dated 25 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 Act') and in particular that the Landlord has failed to ensure that: -

- **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 in proper working order**
- **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 house meets the tolerable standard.**

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

1. Exhibit to the Tribunal a current satisfactory Electrical Installation Condition Report (EICR) from a SELECT, NICEIC or NAPIT registered electrician in respect of the property, containing no Category C1 or C2 items of disrepair and no FI categorisations. The report should contain no limitations on the scope of the report and is expected to cover the full electrical installation within the property. The report should include testing and certification of any portable electrical appliances provided by the Landlord.
2. Carry out such repairs as are necessary to ensure that there is a functioning fixed light source in the front right bedroom in the property.
3. Carry out such repairs as are necessary to ensure the bathroom door is fully functioning, lockable and in a reasonable state of repair or replace the door and lock.
4. Carry out such works as are required to ensure that the provision of smoke detectors and heat detectors within the House complies with the Fire Protection in Rented Properties Guidance published by the Scottish Government on 7 February 2019, effective 1 March 2019 and available on the Scottish Government website.

The Tribunal orders that the works specified in this Order must be carried out and completed within the period of eight weeks from the date of service of this Notice.

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.

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 type written on this and the preceding page(s) are executed by Mary-Claire Kelly, legal member of the Tribunal, at Glasgow on 30 June 2025 in the presence of the undernoted witness: -

Norman Ferguson
c/o 20 York Street,
Glasgow
G2 8GT