

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/25/0138

**Land Register Description: 11 Reid Avenue, Dalry, KA24 4BH being the
subjects registered under title number AYR59761 ("the Property")**

**11 Reid Avenue, Dalry, KA24 4BH
("the House")**

The Parties:-

**Mandy Cox, residing at 11 Reid Avenue, Dalry, KA24 4BH ("Tenant and
Applicant")**

**Leslie Crawford and Kenneth Crawford, 57 Thornebrooke, Ahoghill, Ballymena,
Northern Ireland, BT42 1PZ ("The Landlord and Respondent")**

Whereas in terms of their decision dated 8 July 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 House is:-

(a) in respect of sections 13(1) (d) and (h) of the 2006 Act as amended;

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:-

1. Produce a current Electrical Installation Condition Report for the Property and provide a copy of this gas to the tribunal.

The Report requires to be prepared by an electrician registered with SELECT, NICEIC NAPIT or other accredited registered scheme who is either employed by a firm that is a member of such accredited scheme or is a self-employed

member of such a scheme. The Report requires to have no recommendations in the C1 or C2 category.

2. Instruct a suitably qualified and Gas Safe registered engineer to carry out a certificated gas safety check on the gas heating system and any other gas appliances in the property and provide a copy of the gas safety record to the tribunal.
3. Carry out such repairs as are necessary to the gas heating system in order that the temperature can be independently controlled by the use of a thermostat, which must be easily accessible to persons occupying the property and situated in one of the main living areas of the property.
4. Replace all broken radiator thermostats in the property to put them in to proper working order. Provide a copy of the final invoice, which details what works have been carried out to comply with this condition, to the tribunal.
5. Carry out such repairs as are necessary to securely attach the third tread from the top of the staircase to put it into a reasonable state of repair and proper working order.
6. Make good the holes in the wall at the socket situated in the lower hallway.
7. Instruct a suitably qualified firm specialising in pest control to investigate the infestation of insects in the property; ascertain the likely cause of the infestation and entry points for the insects; and prepare a recommendation about how to eradicate them. Provide the tribunal with a copy of that report for its further consideration and thereafter carry out all works which are determined by the Tribunal as are necessary to ensure that the Property meets the repairing standard.

The Tribunal order that the works specified in this Order must be carried out and completed within the period of 8 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 1 page are executed by Melanie Barbour, legal member of the Tribunal, at Ayr on 8 July 2025 in the presence of the undernoted witness:

M Barbour

witness

M Barbour

Legal Member

Jamie Buchanan name in full

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Glasgow

G2 8GT