

Housing and Property Chamber

First-tier Tribunal for Scotland



Statement of Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) under section 60(5) of the Housing (Scotland) Act 2006

Chamber Ref: FTS/HPC/RT/21/1900

31 Dunholm Terrace, Dundee, DD2 4NU being the property described in the Feu Disposition by City of Dundee District Council in favour of Patricia Anderson registered GRS (Angus) 27th April 1984 ("the Property")

The Parties:-

Dundee City Council, Private Sector Services Unit, 5 City Square, Dundee, DD1 3BA ('The Third Party')

Patricia Anderson residing at Alamein Cottage, Montreathmont, Forfar, DD8 2TU ("The former Landlord")

Walmac Property Limited 31 Dunholm Terrace, Dundee, DD2 4NU ("The Landlords")

Nicola McCready residing at 31 Dunholm Terrace, Dundee, DD2 4NU ('the Tenant')

Tribunal Members:

Jacqui Taylor (Chairman) and Andrew Murray (Ordinary Member)

ONE. The Repairing Standard Enforcement Order.

The Tribunal issued a Repairing Standard Enforcement Order ('RSEO') in respect of the Property dated 15th March 2022 which required the Landlords to:-

1. *Carry out such repairs as are necessary to render the electrical installation in a reasonable state of repair and exhibit a valid and compliant EICR Certificate.*
2. *Repair the central heating system to render in in proper working order including repairing the leak from the hall radiator, replacing the thermostatic control head missing from the hall radiator, repairing the defective radiator in the bedroom and repairing the leak to the front bedroom radiator.*
3. *Repair or replace the electrical sockets in the living room to render them in proper working order.*
4. *Repair the kitchen door leading into the hall to render it in proper working order.*
5. *Repair or replace the kitchen tiles to render them in a reasonable state of*

repair.

6. Repair or replace the downlights in the kitchen to render them in a reasonable state of repair and proper working order.

7. Replace the fitted extension lead in the kitchen with a permanent wired socket.

8. Repair the kitchen ceiling to remove the water stain mark.

9. Repair or replace the upper hall electrical socket to render it in proper working order.

10. Repair or replace the on/off switch to the shower works to render it in proper working order.

11. RegROUT the tiles in the shower area to render them in a reasonable state of repair.

12. Repair or replace the sealant around the shower basin to render it in a reasonable state of repair.

13. Replace the damaged tiles in the bathroom.

14. Replace the electrical socket located beside the door of the rear bedroom to render it in proper working order.

15. Repair the front bedroom radiator to render it in proper working order.

16. Repair the steps from the patio to ground level to render them safe.

17. Repair the external lights above the kitchen door to render them in proper working order.

18. Repair the Sky satellite to render it in proper working order.

19. Repair the external paths at the side and front of the house to render them safe.

20. Repair the boundary fence between the neighbouring property to render it secure and in proper working order.

21. Repair the steps leading from the front gate to the house to render them safe.

The Tribunal ordered that these works must be carried out and completed by 30th June 2022.

TWO. Failure to comply decision.

The Tribunal had issued a decision dated 22nd December 2022 which determined that the former Landlord had failed to comply with the RSEO.

THREE. The Landlords purchased the Property in December 2024.

FOUR. Documentation.

The Landlords had sent the Tribunal a copy of an Electrical Installation Condition Report (EICR) dated 7th January 2025. It had been prepared by Elite Electrical Scotland Limited who are NICEIC approved. It stated that the overall assessment of the installation in terms of its suitability for continued use to be "Satisfactory"

FIVE. Re Inspection.

The Tribunal attended at the Property on 28th March 2025. The Tenant was present at the reinspection together with Mr Cuthill of Dundee City Council and Ms J Dodd who represented the Landlords. The reinspection report is attached hereto and referred to for its terms. The parties were sent a copy of the reinspection report but did not provide any representations in relation to the terms of the report.

SIX. Decision

The Tribunal determined that the RSEO has been complied with. The decision of the Tribunal was unanimous.

SEVEN. Appeals

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.

Signed..... Taylor.....Date 26th June 2025

Chairperson