

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)**

Tribunal Ref: HPC/RP/24/4421

Property: Flat 2/2, 35 Gogar Street, Glasgow, G33 2JQ

Land Certificate Title Number: GLA103862

Parties

**The Applicant: Mr Estsham Alam, residing at Flat 2/2, 35 Gogar Street,
Glasgow, G33 2JQ**

The Landlord: NS5 Ltd, 201 Prince Rupert Drive, Aylesbury, HP19 9DF

**Tribunal Members: Virgil Crawford (Legal Member) and Kingsley Bruce
(Ordinary / Surveyor Member)**

NOTICE TO THE LANDLORD

Whereas in terms of their decision dated 23rd May 2025 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. Repair, or if necessary replace, the gas cooker at the Property and complete any necessary associated works, said works to be carried out by a suitably qualified Gas Safe Engineer.**
- 2. Instruct a suitably qualified Gas Safe Engineer to inspect, test and undertake such repairs as may be necessary to ensure that the heating system is in full working order, including replacement of missing Thermostatic Radiator Valves (TRVs).**
- 3. Instruct a suitably qualified electrician, who should be a member of Select, NECEIC or other approved body, to undertake inspection and testing of the electrical installation at the Property and to provide an Electrical Inspection Condition Report (EICR), completing any works found to be necessary.**
- 4. Repair, or if necessary replace, defective shower screen/seals/tiling around the bath ensuring that the installation is watertight, undertaking associated repairs including repair or replacement of damaged or defective flooring in the bath area, including re-instatement of floor coverings, to a satisfactory standard.**
- 5. Undertake repairs to all windows as required including servicing, adjustment or replacement of closing mechanisms, replacement of panes affected by condensation between glazing, and ensure windows are in working order.**

The Tribunal orders that these works must be carried out and completed by 27th September 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 15th July 2025 by Virgil Crawford, Chairperson of the Tribunal, in the presence Ann-Maree Hatton