

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

Housing and Property Chamber

First-tier Tribunal for Scotland



Repairing Standard Enforcement Order (RSEO): Housing (Scotland) Act 2006
Section 24

Chamber Ref: FTS/HPC/RP/24/2067

Title no Description: WLN2418

Re: Property at 46 (A) North Street, Bo'ness, EH51 0AG ("the Property")

Parties

Mr Liam Milne residing at unknown, ("the Tenant")

**LHP Solutions Limited, Clyde offices, Second Floor, 48 West George Street,
Glasgow G2 1 BP ("the Landlord)**

Whereas in terms of their decision dated 14 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:

1. The installations in the house for the supply of water, gas, electricity Including residual current devices) and any other type of fuel and for sanitation, space heating by a fixed heating system and heating water are in a reasonable state of repair and in proper working order.
2. The house meets the tolerable standard by having an interlinked system of fire and smoke alarms and adequate carbon monoxide alarms.

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. Produce a current valid gas safety certificate for the Property
2. Demonstrate that the Property has an interlinked system of fire and smoke alarms.
3. Demonstrate that the boiler is in good working order and the Property has adequate heating and provision for hot water.

The Tribunal order that the works specified in this Order must be carried out and completed within the period of two months 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 Andrew McLaughlin, legal member of the Tribunal, at ~~Glasgow~~ on 14 July 2025 in the presence of the undernoted witness:-

C Tracey

witness

A McLaughlin

Legal Member

Christopher Tracey name in full

Glasgow Tribunal centre Address

20 York Street Glasgow

G2 8QT