

Housing and Property Chamber
First-tier Tribunal for Scotland



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

REPAIRING STANDARD ENFORCEMENT ORDER
Ordered by the Tribunal

**RE: All and Whole the dwelling house known as 65 Union Street,
Cowdenbeath KY4 9SA registered in the Land Register under Title no
FFE24553 ("the House")**

The Parties:

**Colin Wagstaff, formerly of 65 Union Street, Cowdenbeath, Fife KY4 9SA
("the Tenant")**

**Peter Robertson, 54 Foulford Road, Cowdenbeath, Fife KY4 9AS ("the
Landlord")**

Reference number: FTS/HPC/RP/24/4289

NOTICE TO PETER ROBERTSON

WHEREAS in terms of its decision dated 28 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 that the Landlord has failed to ensure that the House meets the repairing standard in that:

"(a) the house is wind and water tight and in all other respects reasonably fit for human habitation

(b) the structure and exterior of the house (including drains, gutters and external pipes) are in a reasonable state of repair and in proper working order,

(c) 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...

(h) 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 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 To ensure that the smoke alarms in the hall and living room and the heat detector in the kitchen are interlinked and operational.

2 To carry out repairs such that the House is reasonably free of damp and to re-decorate areas affected by mould.

3 To clear the gutters such that they are free of vegetation or other obstructions.

4 To replace all missing tiles in the bathroom.

5 To ensure that all handles on the kitchen cupboards and doors are present and securely attached.

6 To provide a current Landlords Gas Safety Certificate.

7 To provide a current Electrical Installation Condition Report prepared by a suitably qualified electrician.

8 To provide evidence that a risk assessment has been carried out in relation to the presence of legionella.

The Tribunal orders that the works specified in this Order must be carried out and completed within 90 days from the date of service of this Notice.

A landlord, tenant or third party applicant aggrieved by the decision of the Tribunal may seek permission to appeal from the First-tier Tribunal on a point of law only within 30 days of the date the decision was sent to them.

Where such an appeal is made, the effect of the decision and the order is suspended until the appeal is abandoned or finally determined, and where the appeal is abandoned or finally determined by confirming the decision, the decision and the order will be treated as having effect from the day on which the appeal is abandoned or so determined.

IN WITNESS WHEREOF these presents typewritten on this and the two preceding pages are signed by John Miller McHugh, Chairperson of the Tribunal at Edinburgh on the Twenty Eighth Day of May Two Thousand and Twenty Five in the presence of the undernoted witness:

J M McHugh