



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

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

Case reference FTS/HPC/RT/25/0915

Parties

Mrs Amanda McGonigal (Tenant)

Falkirk Council - Private Sector Team (Applicant)

Ms Karen Pelosi (Respondent)

18 Woodburn Avenue, Redding, Falkirk, FK2 9XW (House)

Land Register Title number STG14429

Tribunal members

James Bauld (Legal Member) and Robert Buchan (Ordinary Member)

NOTICE TO THE LANDLORD, Karen Pelosi

Whereas in terms of their decision dated 18 June 2025, the First-tier tribunal for Scotland (Housing and Property Chamber) ('the Tribunal') determined that the Landlord had 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:-

- (a) The installations in the Property for the supply of water, gas and electricity and for sanitation, space heating and heating water are in a reasonable state of repair and in proper working order (as required by section 13(1)(c) of the Act;

(b) any fixtures, fittings and appliances provided by the landlord under the tenancy are in a reasonable state of repair and in proper working order,

(e) The house meets the tolerable standard

The tribunal now requires the Landlord to carry out such works as are necessary for the purposes of ensuring that the Property 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

- **To instruct a SELECT, NICEIC or NAPIT registered electrician to carry out a full inspection of the electrical wiring, installations and apparatus throughout the Property and to repair or renew any parts which are identified in said report to be of Category C1 or C2 to ensure the installation and apparatus is fully functioning and meets current regulatory standards and provide an Electrical Installation Condition Report (EICR) to the tribunal confirming that the installations, apparatus and wiring meet current regulatory standards**
- **To provide an up to date Gas Safety Certificate for the house from a Gas Safe Registered Engineer addressing the working order, condition and safety of any gas installation and gas appliances in the house; and the certificate should also address whether there is a carbon monoxide alarm which complies with the statutory guidance within the house.**
- **To provide Evidence of interlinked fire detection devices and a heat alarm in the house, for example an invoice for installation**

The First-tier 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 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 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 Repairing Standard Enforcement Order ("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 agreement 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

C Bannigan

J Bauld

_____ (Witness)

_____ (Legal Member)

CILDE BANNIGAN (Witness Name in full)

18 June 2025