

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)

(Hereinafter referred to as “the Tribunal”)

Case Reference Number: FTS/HPC/RP/25/0284

Re: Flat 2, 46 Ardshiel Avenue, Edinburgh, EH4 7HS (“the house”)

Land Register Title No: MID249635

Mrs Kirubhasini Devarajan, Flat 2, 46 Ardshiel Avenue, Edinburgh, EH4 7HS (“the Tenant”)

Mrs Khaleda Aman, 7/3 Balfour Loan, Edinburgh EH4 7LA (“the Landlord”)

Tribunal Members – Sarah O'Neill (Legal Member) and David Godfrey (Ordinary (Surveyor) Member)

NOTICE TO: Mrs Khaleda Aman (the Landlord)

Whereas in terms of its decision dated 28 July 2025, the tribunal determined that the landlord had failed to comply with the duty imposed by Section 14 (1) (b) of the Act, and in particular that the landlord has failed to ensure that the house meets the repairing standard in that:

- the house is not wind and watertight and in all other respects reasonably fit for human habitation.
- the installations in the house for the supply of water, gas and electricity and for sanitation, space heating and heating water are not in a reasonable state of repair and in proper working order
- the fixtures, fittings and appliances provided by the landlord under the tenancy are not in a reasonable state of repair and in proper working order
- the house does not meet the tolerable standard, as it does not have an interlinked system of fire and smoke alarms and adequate carbon monoxide alarms

The tribunal therefore makes a Repairing Standard Enforcement Order (RSEO) as required by section 24 (2) of the Act.

The tribunal now requires the landlord to carry out such work as is necessary for the purpose 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 before the date specified in this order.

In particular, the tribunal requires the landlord to:

1. Investigate and attend to the source of the water penetration which is affecting the gable wall of the second bedroom to ensure that the gable wall is wind and watertight. Thereafter replace any damaged plasterwork and redecorate where necessary. This may include redecoration of the entire gable wall of the second bedroom.
2. Repair or replace the missing wardrobe door in the main bedroom.
3. Repair or replace the kitchen cupboard door, shelving, base trim and rear panel to ensure that they are in a reasonable state of repair and in proper working order.
4. Repair or replace the cooker hood to ensure that it is in a reasonable state of repair and in proper working order.
5. Instruct a suitably qualified plumber to investigate the pipework and drainage system in the bathroom and repair or replace this as necessary to ensure that the water is draining freely as intended.
6. Install interlinked smoke and heat detectors within the property, ensuring that they are fully functional and located and powered in accordance with the current requirements set out in [Scottish Government guidance on fire detection in private rented properties](#)
7. Ensure that one empty and usable garden waste bin in a reasonable state of repair and in proper working order is provided to the tenant, and that the broken garden waste bin is removed.

The Tribunal orders that the works specified in this order must be carried out and completed within the period of **six weeks** from the date of service of this notice.

Rights of Appeal

In terms of section 46 of the Tribunals (Scotland) Act 2014, a party 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. 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 typewritten on this and the preceding page are signed by Sarah Frances O'Neill, solicitor, Chairperson of the First-tier Tribunal (Housing and Property Chamber), at Glasgow on the twenty-eighth day of July, Two Thousand and Twenty-Five.