

# **Housing and Property Chamber**

## **First-tier Tribunal for Scotland**

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

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

**Chamber Ref: FTS/HPC/RP/25/0421**

**Property: 69 Mahon Court, Moodiesburn, G69 0QF ('The House')**

**The Parties: -**

**Rebecca Chester, 16 Askew Drive, Spencers Wood, Reading, Berkshire, RG7 1HG ("the landlord")**

**Brian Nugent, 69 Mahon Court, Moodiesburn, G69 OHF ("the tenant")**

Whereas in terms of their decision dated 24 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: -

- **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 in proper working order**
- **any fixtures, fittings and appliances provided by the landlord under the tenancy are in a reasonable state of repair and in proper working order.**
- **the house meets the tolerable standard.**
- **where the house is a tenement, common doors are secure and fitted with satisfactory emergency exit locks**

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. Carry out such repairs as are necessary to ensure the internal doors are fully functioning, capable of remaining closed and in a reasonable state of repair or replaced.
2. Carry out such repairs as are necessary to ensure the front door is fully functioning, lockable and in a reasonable state of repair or replaced.
3. Carry out such repairs as are required to ensure the electric heaters in the living room, hall and bedroom are in proper working order or replaced. Evidence or certification to show that the storage heaters are in proper working order should be produced
4. Carry out such works as are required to ensure that the hot water tap in the kitchen is in a reasonable state of repair and proper working order.
5. Carry out such repairs as are required to ensure that the communal back door is secure and that the tenant is provided with a key to allow access.

The Tribunal order that the works specified in this Order must be carried out and completed within the period of eight weeks 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 Mary-Claire Kelly, legal member of the Tribunal, at Glasgow on 24 July 2025 in the presence of the undernoted witness: -

**D Kerr** witness

**M-C Kelly** Legal Member

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