

Housing and Property Chamber

First-tier Tribunal for Scotland



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/24/3748

Title Number: REN9084

**Re: Flat 1, 47 Neilston Road, Paisley, PA2 6LY
("the House")**

The Parties:

**Mr. Adam Kerr-Quinn, 235 Boardwalk Place, Canary Wharf, Tower Hamlets,
E14 5SQ
("the landlord")**

**Ms. Carolyn Quinn, 12 Victoria Gardens, Paisley PA2 9PQ
("the landlord's representative")**

Tribunal Members:

Susan Christie (Legal Member)

Andrew McFarlane (Ordinary Member)

Whereas in terms of their decision dated 1 September 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: -

- a) 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
- b) The House meets the tolerable standard, and it is structurally stable.

In terms of Section 13(1) (b) and (h) of the 2006 Act.

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 to: -

1. Prepare areas affected by the outbreak of timber decay to allow remedial works to proceed by carrying out the following works in the House:
 - a) Remove the kitchen base units in Rear Room Left (the kitchen) and lay aside for refitting upon completion of the works.
 - b) Remove the kitchen sink and associated plumbing pipework and lay aside for refitting upon completion of the works.
 - c) Remove the washing machine and lay aside for refitting upon completion of the works.
 - d) Remove the gas cooker and lay aside for refitting upon completion of the works.
 - e) Remove the fridge freezer and lay aside for refitting upon completion of the works.
 - f) Remove required electrical sockets and lay aside for refitting upon completion of the works.
 - g) Remove the central heating radiator and associated pipework in the Rear Room Right (bedroom) and lay aside for refitting upon completion of the works.
 - h) Uplift existing floor coverings and lay aside for refitting on completion of the works.
2. Carry out the main works as follows. Eradicate the dry rot (*Serpula lacrymans*) affecting the House by carrying out wood-rotting fungi (dry rot) repairs, replacement and treatments to the areas of timber decay on the floorboard timbers and underfloor timbers at the Rear Room Left (kitchen) and Rear Room Right (bedroom) of the House; and repairing, treating and replacing where required the floor supporting joist timbers at the Rear Room Left (kitchen) and Rear Room Right (bedroom) of the House; including any affected wall-plates, deafening boards and runners, wall fabric, lath and plaster fabric; the works to be carried out by an appropriately experienced Contractor. Upon completion of the works, and within one month, exhibit to the tribunal a Completion Report detailing the works carried out, and confirming timbers and fabric affected by the dry rot in the House at those areas have been treated, repaired or replaced and the dry rot eradicated at the floor and subfloor level of the Rear Room Left (kitchen) and Rear Room Right (bedroom) of the House.
3. Renew floorboards disturbed to match the existing dimensions in the Rear Room Left (kitchen) and Rear Room Right (bedroom) and leave ready to receive floor coverings.

4. Refit the following items upon completion of the works:
 - a) The kitchen base units in Rear Room Left (the kitchen)
 - b) The kitchen sink and associated plumbing pipework
 - c) The washing machine
 - d) The gas cooker
 - e) The fridge freezer
 - f) Any electrical sockets in the Rear Room Left (the kitchen) and the Rear Room Right (bedroom) which were removed in preparation of the main works
 - g) The central heating radiator and associated pipework in the Rear Room Right (bedroom)
 - h) Existing floor coverings.
5. Carry out the following remedial works upon completion of the main works:
 - a) Patch repair or renew the bay window panelling disturbed in the Rear Room Left (kitchen) and Rear Room Right (bedroom) and any required timber sub-framing in the Rear Room Left (kitchen), and Rear Room Right (bedroom).
 - b) Remove lath strapping and dry lined wall finishes where decayed, as required to complete main works. Reinstall same with a new timber framework to support new plasterboard linings. Finish to match surroundings.
 - c) Strip any areas of plaster as required to complete the works. Reinstall and finish to match surroundings.
 - d) Repair or renew the timber finishings (i.e. architraves, base blocks, skirtings and similar) disturbed or removed during the main works in Rear Room Left (kitchen) and Rear Room Right (bedroom) to match existing.
 - e) Prepare all new wall panelling, plaster and plasterboard surfaces and timber finishes and leave ready for decoration.
 - f) Prepare and decorate the ceiling and wall areas, including doors, windows, timber finishes, wall panelling and any other plaster finishes affected by the works in Rear Room Left (kitchen) and Rear Room Right (bedroom).

The Tribunal order that the works specified in this Order must be carried out and completed within the period of six months of 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 two pages are executed by Susan Christie, Legal Member of the Tribunal, at Glasgow on 1 September 2025 in the presence of the undernoted witness: -

GEORGE CHRISTIE name