

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/RT/24/5630

Title Number: GLA67144

467 Drumoyne Road, Glasgow, G51 4DD ("the Property")

Parties:

Glasgow City Council, 231 George Street, Glasgow, G1 1RX ("the Third Party Applicant")

Patrick Duffy, 44 Priory Avenue, Paisley, PA3 4NR ("the Landlord")

Lorraine Morrison, 467 Drumoyne Road, Glasgow, G51 4DD ("the Tenant")

Tribunal Members:

Josephine Bonnar (Legal Member) and Carol Jones (Ordinary Member)

Whereas in terms of their decision dated 8 August 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 2006 Act") and in particular, that the Landlord has failed to ensure that: -

- (i) The house is wind and watertight and in all other respects reasonably fit for human habitation,
- (ii) 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,
- (iii) 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, and

- (iv) 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 property 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 install interlinked smoke and heat detectors at the property which comply with current regulations and guidance.
2. To replace the defective bathroom lights.
3. To provide a current Electrical Installation Condition Report (EICR) and Portable Appliance Test (PAT) certificate (if applicable) for the property from a SELECT, NICEIC OR NAPIT accredited electrician containing no category C1 or C2 items of disrepair, which also confirms that smoke and heat detectors have been installed at the property in accordance with Scottish Government guidance.
4. To replace the defective bathroom radiator.
5. To provide a current gas safety record from a Gas Safe registered engineer which refers to the provision of carbon monoxide detection and details the condition of the boiler.
6. To replace the toilet flush button and shower screen in the bathroom.
7. To carry out all necessary treatment/repairs to ensure that the property is free from damp and mould.
8. To replace the damaged bathroom window handle and glazing to top hung section of the kitchen window.
9. To repair or replace the damaged and defective front door and lock.
10. To carry out all necessary repairs to the roof, roughcast and brickwork at the property to ensure that they are in a reasonable state of repair.
11. To carry out all necessary repairs to all rainwater goods at the property to ensure that they are in a reasonable state of repair and proper working order.

The Tribunal orders that the works specified in this Order must be carried out and completed within the period of eight weeks 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 are executed by Josephine Bonnar, Legal Member of the Tribunal, at Motherwell on 8 August 2025 in the presence of the undernoted witness:-

J Bonnar