

Housing and Property Chamber

First-tier Tribunal for Scotland



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

STATEMENT OF DECISION: in terms of Section 60 of the Housing (Scotland) Act 2006 (“the Act”) in respect of an application under Section 22(1A) of the Act

Chamber Ref: FTS/HPC/RP/23/1893 Re: Property at 0/2, 12, Cresswell Street, Glasgow G12 8BY being the subjects more particularly described as the righthand or eastmost flat on the ground floor of the tenement known as 12 Cresswell Street, Glasgow in Disposition in favour of Mary Russell and others recorded in the Division of the General Register of Sasines (Glasgow) on 27 October 1904 (“the Property”) The Parties: Ms. Alexandra Sidorova and Mr. Sean Arnold both residing at the Property (“the Tenants”) And Lanero Property Co. Ltd care of Clyde Property Ltd, 8 Busby Road, Clarkston, Glasgow G76 7XL (“the Landlord”) per their agents, Clyde Property Ltd (“the Landlord’s Agents”) and represented by Mitchells Robertson, George House, 36 North Hanover Street, Glasgow , G1 2AD (“ the Landlord’s Solicitors”) Tribunal Members: Karen Moore (Chairperson) and Andrew Taylor (Ordinary and Surveyor Member)

Decision of the Tribunal

The Tribunal, having made such enquiries as it saw fit for the purposes of determining whether a certificate of completion in respect of the Repairing Standard Enforcement Order (RSEO) can be granted, determined that, as it is satisfied that the work required by the RSEO has been carried out, a certificate in terms of Section 60 of the Act is granted.

The Tribunal discharged the Rent Relief Order dated 28 November 2024 from the date hereof.

This Decision should be read in conjunction with the Decisions, RSEO and RSEOs as varied dated 24 October 2023, 21 May 2024 and 28 November 2024 and Rent Relief Order dated 28 November 2024.

Background

1. By application received between 9 June 2023 and 25 July 2023 ("the Application"), the first-named Tenant of the Property applied to the First-tier Tribunal for Scotland (Housing & Property Chamber) for a determination that the Landlord had failed to comply with the duty imposed on them by Section 14(1)(b) of the Act in respect that the Property does not meet the Repairing Standard in respect of Sections 13(1)(a) and 13(1) (h) of the Act. The Application comprised a copy of the tenancy agreement between the Tenants and the Landlord, copy correspondence between the Tenants and the Landlord's Agents regarding repairs to the Property.

Inspections and Hearings

2. Following an Inspection of the Property and a Hearing on 19 October 2023, the Tribunal imposed the following RSEO: *"The Landlord must on or before 20 December 2023 carry out all of the following:- 1. Engage a suitably qualified sash and case window specialist to overhaul and repair or replace all windows ensuring that they are wind and watertight, that the windows are in proper working order and the windows are capable of opening and closing securely and safely, to include all necessary cill replacement, pointing, new ironmongery, draught proofing and any necessary painting inside and out. 2. Redecorate all areas affected by water damage and black mould within the Property including any necessary treatment of mould and damaged plaster and 3. Replace all blinds and window dressing affected by water damage and black mould 4. Carry out all incidental and decorative works occasioned by the works necessary to comply*

with this Order to leave the Property in the condition required by the Repairing Standard.”

3. A Re- Inspection and Hearing were held on 17 May 2024, the outcome of which was that the Tribunal varied the RSEO.

4. A further Re- Inspection and Hearing were held on 28 November 2024, the outcome of which was that the Tribunal determined that the Landlord had failed to comply with the duty imposed by section 14(1)(b). The Tribunal imposed a Rent Relief Order (RRO).

5. A further Re-Inspection took place on 28 August 2025. At that Re- Inspection, the Tribunal was satisfied that the work required by the RSEO and RSEOs as varied had been completed.

Decision of the Tribunal and Reasons for the Decision of the Tribunal

6. Having found that the works required by the RSEO as varied have been carried out, the Tribunal issued a certificate of completion in terms of Section 60 of the Act.

7. Having found that the works required by the RSEO as varied have been carried out, the Tribunal discharged the RRO.

8. The decision of the Tribunal is unanimous.

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.

Signed

K Moore

K Moore, Chairperson

30 September 2025