

Housing and Property Chamber

First-tier Tribunal for Scotland



Statement of Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) under section 60(5) of the Housing (Scotland) Act 2006

Chamber Ref: FTS/HPC/RT/24/1655

16 Ashgrove Crescent, Ecclefechan, Lockerbie, DG11 3EA Land Register of Scotland under title number DMF17282 ('The Property')

The Parties:-

Graeme and Fiona Carruthers residing together at Dunnekelly, Burnbank Street, Ecclefechan, DG11 3DH ('the Landlord').

Mr Edment, Solicitors, McJerrow and Stevenson, Solicitors, Lockerbie ('the Landlord's Representative')

Dumfries and Galloway Council ('Third Party')

Lisa McGregor ('the former Tenant').

The First-tier Tribunal for Scotland (Housing and Property Chamber) ('the Tribunal') comprising: Jacqui Taylor (Legal Member) and Sara Hesp (Ordinary Member).

One. The Repairing Standard Enforcement Order.

The Tribunal issued a Repairing Standard Enforcement Order ('RSEO') in respect of the Property dated 6th May 2025 which required the Landlord to:-

1. Repair or replace the cracked front window in the lounge.
2. Repair or replace the smoke alarms in the lounge, kitchen, downstairs hall and upper hall to render them in proper working order and interlinked in compliance with the statutory guidance.
3. Repair the isolator switch at the bottom right hand wall of the kitchen to render it in proper working order.
4. Repair the cooker isolator switch and plug to render them in proper working order.
5. Repair or replace the peeling wallpaper in the kitchen.
6. Repair or replace the back door to render it wind and water tight and in proper working order.
7. Repair or replace the main light in the bathroom.
8. Treat and remove the black mould/ damp on the ceiling of the bathroom and bedrooms 2 and 3.

9. Repair or replace the peeling wall paper in Bedroom 2.
10. Repair or replace the external soffit board above bedroom 2 at the rear of the Property.
11. Clear the vegetation growing in the guttering at the front and rear of the Property.
12. Repair or replace the broken fence and gate accessing the back garden.
13. Exhibit a valid and compliant EICR Certificate covering 100% of the installation including the heaters and carried out by a suitably competent electrician accredited by NICEIC, SELECT or NAPIT.

The Tribunal ordered that these works must be carried out and completed by 15th July 2025.

Two. Re Inspection.

The Tribunal attended at the Property on 25th July 2025. The Tenant had vacated the Property. Mrs Carruthers was present at the reinspection. The reinspection report is attached hereto and referred to for its terms.

Three. Decision

3.1 As the required works had been satisfactorily completed the Tribunal determined that the RSEO has been complied with.

3.2 The decision of the Tribunal was unanimous.

4. Appeals

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.

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.....**J Taylor**.....Date 18th September 2025
Chairperson