

Housing and Property Chamber

First-tier Tribunal for Scotland



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

106 Carron Place, Irvine, North Ayrshire, KA12 9NE, registered in the Land Register of Scotland under title number AYR13282 ("the Property")

Case Reference FTS/HPC/RP/25/1678

Ms Shona Alexander (deceased), formerly 106 Carron Place, Irvine, North Ayrshire, KA12 9NE ("The Applicant" and The Former Tenant")

Mr Robert Hall, 29 Goukscroft Park, Ayr, South Ayrshire, KA7 4DS ("The Landlord")

Mrs Gwendolyn Hall, 29 Goukscroft Park, Ayr, South Ayrshire, KA7 4DS ("Interested Party")

Tribunal Members – Martin McAllister (Legal Member) and Donald Wooley (Ordinary Member)

Tribunal Members:

Mr Martin McAllister, Solicitor (Legal Member) and Mr Donald Wooley, Chartered Surveyor (Ordinary Member) ("the tribunal")

NOTICE TO

Mr Robert Hall

Whereas in terms of their decision dated 12 October 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 tribunal now makes a repairing standard enforcement order (RSEO) in the following terms and requires the Landlord to carry out such work as is necessary for the purposes of ensuring that the Property meets the repairing standard in terms of Section 13 of the said Act and that any damage caused by the carrying out of any work in terms of this Order is made good.

The tribunal determined to make a repairing standard enforcement order in the following terms:

- 1. The Landlord is to repair or replace the defective living room window and ensure that it is in a reasonable state of repair, in proper working order and wind and watertight.**
- 2. The Landlord is required to produce a current Electrical Installation Condition Report for the Property. The Report requires to be prepared by an electrician registered with SELECT, NICEIC NAPIT or other accredited registered scheme who is either employed by a firm that is a member of such accredited scheme or is a self-employed member of such a scheme. The Report requires to confirm that the installation is "satisfactory," has appropriate RCD protection wholly compliant with the repairing standard and has no recommendations in the C1 or 2 category or F1 items for further investigation. The EICR should include confirmation that all power sockets, including the fitting in the under sink cupboard, and lighting fittings, have been tested and found to be in satisfactory working order. The EICR should confirm that the Property complies with current Scottish Government guidance in relation to interlinked fire detection devices and a heat alarm in the Property.**
- 3. The Landlord is required to provide an up to date Gas Safety Certificate from a Gas Safe Registered Engineer addressing the working order, condition and safety of any gas installation and gas appliances; and the certificate should also address whether there is a carbon monoxide alarm within the Property which complies with statutory guidance.**
- 4. The Landlord is to repair or renew the front door and or surrounding frame, of the Property to ensure that it is functioning and is wind and watertight.**
- 5. The Landlord is to repair or replace the kitchen floor covering and ensure that no part of it constitutes a trip hazard.**
- 6. The Landlord is to repair the window pane in back bedroom 1.**
- 7. The Landlord is to repair the radiator in back bedroom 1.**

The Landlord requires to comply with the RSEO by 7 December 2025.

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.

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 typewritten on this and the two preceding pages are executed by Martin Joseph McAllister, legal member of the First-tier Tribunal for Scotland at Irvine on 12 October before Alan Muirhead,

M J McAllister

A Muirhead