

Housing and Property Chamber

First-tier Tribunal for Scotland



Repairing Standard Enforcement Order (RSEO) made under Section 24 of the Housing (Scotland) Act 2006

Chamber Reference number: FTS/HPC/RT/25/1967

Re: Property at 123 Merchiston Avenue, Falkirk FK2 7JX ("the Property")

Title No: STG17480

The Parties:

Falkirk Council Private Sector Team, The Forum, Callendar Business Park, Falkirk FK1 1XR ("the Third-Party Applicants")

Lisa Marr and L Buchanan, the Testamentary Trustees of the late George Lawrence ("the Landlords")

Mr Joseph Sawkins, 123 Merchiston Avenue, Falkirk FK2 7JX ("the Tenant")

**Tribunal Members: George Clark (Legal Member/Chair)
Sara Hesp (Ordinary (Surveyor) Member)**

Whereas in terms of their decision dated 26 November 2025, The First-tier Tribunal for Scotland (Housing and Property Chamber) ('the Tribunal') determined that the Landlords have failed to comply with the duty imposed by Section 14 (1)(b) of the Housing (Scotland) Act 2006 ("The Act"), the Tribunal now requires the Landlords to carry out such work as is necessary for the purposes of ensuring that the house concerned 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 Landlords:

1. To exhibit to the Tribunal a full legible copy of the current Gas Safety Certificate in respect of the Property.
2. To carry out such works as may be necessary to ensure the systems for detecting fire by means of mains-wired or wi-fi connected smoke detectors in the living room, downstairs hall and upstairs landing and a heat detector in the kitchen are interlinked and in proper working order.
3. To exhibit to the Tribunal a current Electrical Installation Condition Report (EICR) from a SELECT, NICEIC or NAPIT registered electrician in respect of the property, containing no Category C1 or C2 items of disrepair.

The Tribunal orders that the necessary Report and Certificate are produced and the repair works completed within six weeks of the date of service of this Order on the Landlords.

Right of 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.

IN WITNESS WHEREOF these presents, typewritten on this and the preceding page, are subscribed by George Barrie Clark, Legal member/Chair of the Tribunal at Lasswade on 26 November 2025 before this witness, Valerie Elizabeth Jane Clark,

G Clark

Legal Member/Chair

V Clark

Witness