

# Housing and Property Chamber

## First-tier Tribunal for Scotland



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

Repairing Standard Enforcement Order

Housing (Scotland) Act 2006: Section 24 (2)

17C Mearns Street, Greenock PA15 4PX, registered in the Land Register of Scotland under title number REN70713 ("the Property")

Case Reference FTS/HPC/RP/25/0509

Miss Baiba Laura Reinkopfa, 17C Mearns Street, Greenock PA15 4PX ("The Applicant" and "The Tenant")

Mr Barry Miller, residing at 9 Rosemount Place, Gourock, PA19 1HQ ("The Respondent" and "The Landlord")

**Tribunal Members – Martin McAllister, solicitor (Legal Member) and Andrew McFarlane, chartered surveyor (Ordinary Member) ("the tribunal")**

### NOTICE TO

Mr Barry Miller

Whereas in terms of its decision dated 28 November 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 he said Act and that any damage caused by the carrying out of any work in terms of this Order is made good.

The Tribunal makes a repairing standard enforcement order ("RSEO") in the following terms:

The Landlord is required to:

(One) Carry out a scheme of works to prevent or restrict the ingress of water or accumulation of dampness from the exterior of the front elevation of the Property manifesting itself internally in the following areas:

- (i) in the front bedroom (front left room when viewed from inside looking out to street),
- (ii) on the angled section of the external wall,
- (iii) on the external wall between the angled section and the window,
- (iv) at the intersection of the angled section of the external wall extending down from the cornice,
- (v) on the cornice and ceiling adjacent,
- (vi) on the soffit lining to the window,
- (vii) on the external wall between the window and the right-hand wall on the right-hand wall (to living room),
- (viii) in the living room (front right room when viewed from inside looking out to street),
- (ix) on the left-hand wall (to bedroom),
- (x) on the external wall between intersection with the left-hand wall at the left-hand side of the left-hand window,
- (xi) above the left-hand window continuing from the left-hand side,
- (xii) below the left-hand window continuing from the left-hand side
- (xiii) remove damaged plaster and decorative finishes generally in the areas listed above to the extent necessary to allow drying out of the underlying exposed structure and thereafter reinstate plaster finishes previously damaged or removed and leave ready for redecoration,
- (xiv) redecorate disrupted areas generally to match existing and
- (xv) clean off mould growth on silicone sealants between uPVC window frames and uPVC linings and on uPVC window frames and linings as necessary.

(Two) Supply to the tenant a key for the lock on the door leading from the common close to the rear garden ground.

The Landlord requires to comply with the RSEO by 31 March 2026.

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 preceding page are executed by Martin Joseph McAllister, legal member of the First-tier Tribunal for Scotland, at Hamilton on 9 December 2025 before *Fiona Bhugn, Civil Sheriff, Bothwell House, Hamilton.*

**M McAllister**

**F Queen**