

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Variation of Repairing Standard Enforcement Order (RSEO): Housing (Scotland) Act 2006 Sections 25 and 26

Chamber Ref: FTS/HPC/RP/24/4204

Property: 26 New Road, Kennoway, Leven, KY8 5JR ('The House')

Title reference: FFE64995

The Parties: -

William Mitchell, The Elms, The Causeway, Kennoway, Leven ('the landlord')

Rosemary Morris, 26 New Road, Kennoway, Leven, KY8 5JR ("the tenant")

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the tribunal") having determined that the Repairing Standard Enforcement Order relative to the property should be varied, said Repairing Standard Enforcement Order is hereby varied with effect from the date of service of this Notice in the following respects:-

The period of time within which the landlord must

- 1) *Instruct a suitably qualified and SELECT, NAPIT or NICEIC registered electrician (i) to carry out a full inspection of the electrical installation throughout the house, the purpose of which inspection is to ensure that the electrical installations are safe and fit for purpose (ii) to repair, replace or renew any parts which require to be repaired, replaced or renewed, including the defective double socket in the kitchen to ensure that the installation is fully functioning and meets current regulatory standards and (iii) thereafter to issue a complete and compliant electrical installation condition report ("EICR") in accordance with Scottish Government statutory guidance on electrical installations and appliances in private rented property and exhibit the EICR to the Tribunal. This should include testing and certification of any portable electrical appliances provided by the Landlord.*
- 2) *Produce a legionella risk assessment for the house in accordance with the Scottish Government's publication "Repairing Standard: statutory guidance for private landlords", Annex D1 (D.28-D.35)*

is extended until **18 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.

In terms of Section 63 of the Act, 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 type written on this and the preceding page(s) are executed by Mary-Claire Kelly, legal member of the Tribunal, at Glasgow on 13 November 2025 in the presence of the undernoted witness:-

Norman Ferguson_____ Name
c/o Glasgow Tribunals Centre
20 York St
Glasgow
G2 8GT