



REPAIRING STANDARD ENFORCEMENT ORDER of the First-Tier Tribunal for Scotland (Housing and Property Chamber) under Section 24(1) of the Housing (Scotland) Act 2006

Chamber Ref: FTS/HPC/RP/25/1420

Parties:

Miss Romina McNeill (“the Applicant”)

Mr John Brooks (“the Respondent”)

Easter Fearn Farm Cottage, Ardgay, Ross-shire, IV24 3DL (“the Property”)

Title registered in the County of Ross and Cromarty 1317

Tribunal Members:

Mark Thorley (Legal Member) and Sara Hesp (Ordinary Member)

WHEREAS in terms of the decision dated 19 December 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) 2006 (“the Act”) and in particular that the landlord has failed to ensure that (a) the Property is wind and watertight and in all other respects reasonably fit for human habitation; (b) the structure and exterior of the Property (including drains, gutters and external pipes) are in a reasonable state of repair and in proper working order; (c) the installations to the house for the supply of water, gas, electricity (including residual current devices) and any other type of fuel and for sanitation, space heating by a fixed heating system and heating water in a reasonable state of repair and in properly working order; (d) any fixtures, fittings and appliances provided by the landlord under the tenancy are in a reasonable state of repair and in proper working order; (e) the house meets the tolerable standard.

The Tribunal now requires the landlord 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 the terms of the Order is made good.

In particular, the Tribunal requires the landlord to:-

Provide a satisfactory EICR without any C1/C2 designations and carried out by a suitably competent contractor who is for example accredited by NAPIt/NICEIC or SELECT

Repair the hole in the floor of the living room

- a. Repair and/or replace all floor coverings in the living room and utility room of the Property.
- b. Replace all wall coverings in the living room and utility room including the wall between the bathroom and the living room.
- c. Replace or return all fittings and fixtures to the living room and the utility room.
- d. Ensure an adequate and working heating source in the living room and throughout the remainder of the house.
- e. Ensure adequate insulation in all walls and roof space.
- f. Ensure that the appropriate smoke alarms and heat monitors and detectors are installed throughout the Property in accordance with Scottish Government guidance
- g. Ensure that the bathroom wall coverings are completed.
- h. Ensure that redecoration takes place throughout the whole of the Property.
- i. Replace the down drain missing from the front elevation.
- j. Clear out all the water goods, both to the front and rear elevations.
- k. Replace the latching mechanisms on the upstairs bedroom windows.

The Tribunal orders that work specified in this order must be specified and completed within a period of nine months from the date of service of this notice.

1. A landlord, tenant or third party applicant aggrieved by the decision 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.
2. In terms of Section 63 of the Act, where such an appeal is made, the effect of the decision and 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.

3. Please note that in terms of Section 28(1) of the Act, a landlord who, without reasonable excuse, fails to comply with an 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 an RSEO is in effect in relation to the house. This is terms of Section 28(5) of the Act.

Mark Thorley, Chair and Legal Member of the Tribunal