

Housing and Property Chamber

First-tier Tribunal for Scotland

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



Repairing Standard Enforcement Order (RSEO): Housing (Scotland) Act 2006
Section 24

Chamber Ref: FTS/HPC/RP/25/1373

Re: Property at 42 Babylon Drive, Bellshill, ML4 2DN ("the Property") being the subjects registered in the Land Register of Scotland under Title Number LAN145425

Parties

Mr Raymond Simmonds, ("the Tenant")

Mr Benedick Nevo ("the Landlord")

Whereas in terms of their decision dated 4 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) Act 2006 ("The Act") and in particular that the Landlord has failed to ensure that :-

1. *The installations in 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 are in a reasonable state of repair and in proper working order.*
2. *It has an interlinked system of fire and smoke alarms and adequate carbon monoxide alarms*

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 terms of this Order is made good.

In particular the tribunal requires the landlord to:-

1. Demonstrate that the extractor fan in the kitchen has been reinstated and made operational.

2. Demonstrate that the Property has a compliant smoke/fire detection system.
3. Demonstrate that the boiler is in good working order and the Property has adequate heating and provision for the supply of hot water.

The Tribunal order that the works specified in this Order must be carried out and completed within the period of two months from the date of service of this Notice.

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.

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 type written on this and the preceding page(s) are executed by Andrew McLaughlin, legal member of the Tribunal, at Glasgow on 19/12/15 in the presence of the undenoted witness:-

A McLaughlin