

Housing and Property Chamber

First-tier Tribunal for Scotland



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

REPAIRING STANDARD ENFORCEMENT ORDER

Chamber Ref: FTS/HPC/RP/25/1995

Re: Property at 92 Carnoustie Crescent, East Kilbride, G75 8TE and registered in the Land Register of Scotland under Title Number LAN107314 ("the Property")

The Parties:

Misadep Properties Limited having their registered office at 15, Beech Grove, Aveley, RM15 4AS ("the Landlord") per their agents, James & George Collie LLP, 1 East Craibstone Street, Aberdeen, AB11 6YQ ("the Landlord's Agents")

Tribunal Members:

Karen Moore (Chairperson) and Carol Jones (Ordinary and Surveyor Member)

Notice to Landlord

Misadep Properties Limited having their registered office at 15, Beech Grove, Aveley, RM15 4AS ("the Landlord")

Whereas in terms of its decision dated 29 January 2026, the First-tier Tribunal for Scotland determined that the Landlord had failed to comply with the duty imposed by Section 14 (1)(b) of the Housing (Scotland) Act 2006 in respect of Sections 13(1) (d), 13(1) (c), 13(1) (h) and 13(1)(j) of the Act, the First-tier Tribunal now requires the Landlord to carry out the following works or other such works as are necessary for the purposes of ensuring that the Property meets the Repairing Standard and that any damage caused by carrying out of the works in terms of the Order is made good.

The Landlord must on or before 4 March 2026 carry out all of the following:-

1. Instruct a suitably qualified SELECT, NICEIC or NAPIT registered electrician to carry out a certified electrical inspection of the entire electrical installation of the House and all electrical appliances and equipment supplied by the landlord. Thereafter, provide the Tribunal with a current satisfactory Electrical Installation Condition Report (EICR), including Portable Appliance Testing (PAT), prepared by a suitably qualified SELECT, NICEIC or NAPIT registered electrician.
2. Install a new handle to the oven door so that the oven can be used safely and without risk of injury and to ensure that the oven is fully operational and in proper working order.
3. Repair or replace the kitchen worktops to ensure that they are free from damage and are safe for use for the preparation of food.
4. Carry out all work necessary to ensure that the drying area to the rear of the Property is properly drained, is free of excess surface water and can be used safely and easily for the drying of clothes.
5. Carry out works to properly secure the carbon monoxide detector and ensure it is positioned in compliance with Scottish Government Statutory Guidance in relation to carbon monoxide alarms in Private Rented Properties.
6. Carry out all incidental and decorative works occasioned by the works necessary to comply with this Order to leave the Property in the condition required by the Repairing Standard.

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.

Further, in terms of Section 28(1) of the Housing (Scotland) Act 2006, a landlord who, without reasonable excuse, fails to comply with a Repairing Standard Enforcement Order commits an offence liable on summary conviction to a fine not exceeding Level 3 of the standard scale, and in terms

of Section 28(5) of that Act, also commits an offence if he or she enters into a tenancy or occupancy agreement in relation to a house at any time during which a Repairing Standard Enforcement Order has effect in relation to the house.

In Witness Whereof these presents printed on this and the preceding pages are subscribed by Karen Moore, Chairperson of the tribunal, at Glasgow on 29 January 2026 before this witness:

Karen Moore

- GTC

20 YORK STREET

GLASGOW

G2 8GT