

Housing and Property Chamber

First-tier Tribunal for Scotland



Statement of Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) under section 60(5) of the Housing (Scotland) Act 2006

Chamber Ref: FTS/HPC/RT/24/0873

2, Ivybank Court, Polmont, Falkirk, FK2 0GH registered in the Land Register of Scotland under title number STG24725("the Property")

The Parties:-

Falkirk Council, The Forum, Suite 1, Callendar Business Park, Falkirk, FK1 1XR ("The Third Party")

Brendan McKeever ("The Tenant")

June Meikle residing at 8 Drumside terrace, Bo'ness, EH51 9QX ("The Landlord")

Stuart Meikle ('The Landlord's Representative')

Tribunal Members:

Jacqui Taylor (Chairman) and Sara Hesp (Ordinary Member)

Background

1. The Tribunal issued a Repairing Standard Enforcement Order dated 13th November 2024 ('RSEO') in respect of the Property which required the Landlord to:-

ONE. Exhibit a valid and compliant EICR Certificate.

TWO. Exhibit a valid and compliant Portable Appliances Test Report..

THREE. Repair or replace the smoke alarm in the living room to render it in proper working order and interlinked in compliance with the statutory guidance.

FOUR. Install the carbon monoxide detector in a position such that it complies with the Regulations.

2. The Tribunal ordered that the works specified in the RSEO must be carried out and completed by 15th December 2024.

3. The Tribunal carried out a re-inspection of the Property on 19th March 2025. The re-inspection report dated 28th March 2025 confirmed that items 1,2 and 3 of the RSEO had been completed. Item 4 had not been completed as the carbon monoxide detector had not been installed in compliance with Scottish Government guidelines on the tolerable standard which required the carbon monoxide detector to be fixed either ceiling or wall mounted in compliance with the guidelines.

4. The Third party sent the Tribunal an email dated 9th April 2025 confirming that they agreed with the terms of the reinspection report.

5. The Landlord's representative sent the Tribunal an email dated 7th January 2026 and attached a photograph showing the carbon monoxide detector fixed to the wall.

6. Decision

6.1 The Tribunal was satisfied that the works specified in the RSEO had been satisfactorily completed.

6.2 As the required works had been satisfactorily completed the Tribunal determined that the RSEO has been complied with.

6.3 The decision of the Tribunal was unanimous.

7. Appeals

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.

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.

J Taylor