

Housing and Property Chamber First-tier Tribunal for Scotland



**First-tier Tribunal for Scotland (Housing and Property Chamber)
Repairing Standard Enforcement Order: Housing (Scotland) Act 2006 Section
24 (2) as varied under section 25(1)**

Reference number: FTS/HPC/RP/25/3407

**Re: Property : 3 Westwood, Argyle Terrace, Isle of Bute PA20 OBE (recorded in
the General Register of Sasines for the Burgh of Rothesay on 1 July 1999)
("Property")**

The Parties:

Agnes Warn, 3 Westwood, Argyle Terrace, Isle of Bute PA20 OBE ("Tenant")

**Clint Warn and Kelvin Warn, c/o 3 Westwood, Argyle Terrace, Isle of Bute PA20
OBE ("Tenant's Representative")**

**Matthew Price, 6 Argyle Terrace, Rothesay, Isle of Bute PA20 OBD
("Landlord")**

Tribunal Members :

Joan Devine (Legal Member); Andrew McFarlane (Ordinary Surveyor Member)

NOTICE TO: Matthew Price ("the Landlord")

**Whereas in terms of its decision dated 9 March 2026, the Tribunal determined
that the Landlord had failed to comply with the duty imposed on them by Section
14(1)(b) of the Housing (Scotland) Act 2006.**

**The Tribunal now requires the Landlord to carry out such work as are necessary
for the purpose of ensuring that the Property meets the repairing standard and
that any damage caused by the carrying out of any work in terms of this order
is made good before the date specified in this order.**

In particular the Tribunal requires the Landlord to :

1. Strip out and replace existing defective window at attic level. Check and overhaul or replace flashings and the like to seal window to surrounding elements. Leave in fully wind and watertight condition.
2. Check over roof coverings and associated elements such as flashings, linings, Velux windows and the like to address water penetration in the following areas : Living Room, Front Bedroom, Dressing Room, stair to attic level, upper storage area nearer access road.
3. Carry out all works necessary to leave in a fully wind and watertight condition.

4. Make good areas of damaged plasterwork to ceiling of stair to attic level and cupboard below to restore to previous condition. Repair or replace underlying timbers if damaged.
5. Instruct Electrical Contractor to check exposed wiring at attic level landing ceiling and in main hallway to ensure isolated and confirm in writing.
6. Locate or provide a Carbon Monoxide monitor and alarm. Install in a position to comply with Scottish Government Statutory Guidance.
7. The Repairing Standard now requires that installations for the supply of electricity must include a residual current device. Instruct electrical contractor to inspect the installation and carry out the works necessary to comply with this requirement.
8. Carry out decorative works to finishes repaired or disturbed by the works.

The Tribunal orders that the works specified in this order must be carried out and completed within the period of 2 months from the date of service of the RSEO dated 9 March 2026.

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 are executed by Joan Devine, Legal Member of the Tribunal at Glasgow on 9 March 2026 in the presence of this witness :

J Devine
Legal Member

C Tracey

Christopher Tracey
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Name

Glasgow Tribunals centre
.....
20 York Street Glasgow
Address G2 8QT