

Housing and Property Chamber First-tier Tribunal for Scotland



Repairing Standard Enforcement Order (RSEO) made under Section 24 of the Housing (Scotland) Act 2006

Chamber Reference number: FTS/HPC/RP/25/2727

Re: Property at 24 Loanburn Avenue, Penicuik EH26 8BX ("the Property")

Title No: MID248724

The Parties:

Ms Caroline Elder, 24 Loanburn Avenue, Penicuik EH26 8BX ("the Tenant")

Dynamic Property (Scotland) Limited, incorporated in Scotland under the Companies Acts (SC750932) and having their registered office at Unit 4 Dryden Glen Industrial Estate, Loanhead EH20 9NA ("the Landlords")

**Tribunal Members: George Clark, Legal Member
Sara Hesp, Ordinary (Surveyor) Member**

Whereas in terms of their decision dated 19 February 2026, The First-tier Tribunal for Scotland (Housing and Property Chamber) ('the Tribunal') determined that the Landlords have failed to comply with the duty imposed by Section 14 (1)(b) of the Housing (Scotland) Act 2006 ("The Act"), the Tribunal now requires the Landlords 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 Landlords:

1. To instruct suitably qualified tradesmen to fully investigate the cause of the blockage in the waste pipe on the rear wall of the Property adjacent to the kitchen window, to reinstate the waste pipe so that it is in proper working order and to properly cap it off. The tradesmen's report following investigation of the cause should be sent to the Tribunal for comment before the commencement of the works.
2. To carry out such repairs as may be required to ensure the window in the bathroom opens and closes properly, failing which, to replace the window.

The Tribunal orders that the works specified above are completed within two months of the date of service of this Order on the Landlords.

Right of Appeal

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.

IN WITNESS WHEREOF these presents, typewritten on this and the preceding page, are subscribed by George Barrie Clark, Legal member/Chair of the Tribunal at Lasswade on 19 February before this witness, Valerie Elizabeth Jane Clark, Droman House, Lasswade, Midlothian.

G Clark

Legal Member/Chair .

V Clark

Witness