

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/25/1336

Title reference: ANG20389

Property: 65J Commercial Street, Dundee, DD1 2AA ('The House')

The Parties: -

A & M Letting Services Ltd 19 Troon Avenue, Dundee, Scotland, DD2 3FP ('the landlord')

Debbie McKay, 65J Commercial Street, Dundee, DD1 2AA ('the tenant')

Whereas in terms of the decision dated 22 January 2026, 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: -

- **the house is wind and watertight and in all other respects reasonably fit for human habitation**
- **the installations in the house for the supply of water, gas and electricity and for sanitation, space heating and heating water are in a reasonable state of repair and in proper working order**
- **any fixtures, fittings and appliances provided by the landlord under the tenancy are in a reasonable state of repair and in proper working order,**

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. Replace the light fitting in the bathroom to ensure the light fitting is in proper working order.
2. Replace the dishwasher with a new integrated dishwasher in proper working order.
3. Replace the washing machine with a new washing machine in proper working order.
4. Provide evidence of testing and certification of any portable electrical appliances provided by the Landlord in the House.
5. Carry out such repairs as are necessary to ensure the left window in the living room and the left window in the bedroom are fully functional, wind and watertight and in a reasonable state of repair.
6. Carry out such repairs as are necessary to ensure that there is a satisfactory supply of hot water in the bathroom and kitchen. The tenant should have access to an adequate flow of hot water within a reasonable period of time.

The Tribunal order that the works specified in this Order must be carried out and completed within the period of 2 calendar 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 Mary-Claire Kelly, legal member of the Tribunal, at Edinburgh 22 January 2026 in the presence of the undernoted witness: -

N H Ferguson

M C Kelly

witness

Legal Member

Norman Hunter Ferguson
C/O 20 York Street,

GUSGON G28GT