

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)

Chamber Ref: FTS/HPC/RP/25/4577

64 Morar Place, Irvine, being the subjects registered in the Land Register of Scotland under Title Number AYR34248 ("the Property")

The Parties:-

Linda Thomson ("the Applicant" and "the Tenant")

Alister Meek, CHAP, Michael Lynch Centre, 71 Princes Street, Ardrossan, North Ayrshire, KA22 8DG ("the Applicant's Representative")

Lindsey Taylor, c/o Lomond Property, 71 Main Street, Prestwick, KA9 1JN ("the Respondent" and "the Landlord")

Lomond Property, 71 Main Street, Prestwick, KA9 1JN ("the Respondent's Letting Agent")

Tribunal Members:

Martin McAllister, Solicitor (Legal Member) and Nicholas Allan, Chartered Surveyor (Ordinary Member) ("the tribunal")

NOTICE TO

Lindsey Taylor

Whereas in terms of its decision dated 12 March 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 Tribunal now makes a repairing standard enforcement order (RSEO) in the following terms and requires the Landlord to carry out such work as is necessary for the purposes of ensuring that the Property meets the repairing standard

in terms of Section 13 of the said Act and that any damage caused by the carrying out of any work in terms of this Order is made good.

The Tribunal makes a repairing standard enforcement order ("RSEO") in the following terms:

The Landlord is required to:

- 1. Produce to the Tribunal a current Gas Safety Certificate for the Property prepared by a suitably qualified gas engineer registered in the Gas Safe Register.**
- 2. Produce to the Tribunal a current Electrical Installation Condition Report for the Property. The Report requires to be prepared by an electrician registered with SELECT, NICEIC NAPIT or other accredited registered scheme who is either employed by a firm that is a member of such accredited scheme or is a self-employed member of such a scheme. The Report requires to confirm that the installation is "satisfactory," has appropriate RCD protection wholly compliant with the repairing standard and has no recommendations in the C1 or 2 category or F1 items for further investigation. It should also include PAT testing in respect of any electrical appliances supplied by the Respondent**
- 3. Replace the bathroom light with one compliant with relevant regulations.**
- 4. Repair or renew the bath to ensure that there is an effective and safe grab rail.**
- 5. Make good the defective sealant around the bath.**
- 6. Repair or replace the external front door to ensure that it is wind and watertight.**
- 7. Repair or renew the window sill in the front bedroom to ensure that it is secure.**
- 8. Take appropriate action to enclose exposed pipes and wiring in the box room to ensure that it can be safely used.**
- 9. Ensure that there is no ongoing water ingress to the ceiling in the box room and make good the décor.**
- 10. Instruct a roofing contractor to inspect the roof to ensure that there are no access points for birds, take remedial action if there are, and ensure that the roof is sound and not allowing water ingress to the Property.**

11. Instruct appropriately qualified contractors to safely and appropriately remove any nesting birds from the roof space.

The Landlord is required to carry out the work required by the RSEO before 30 April 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.

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 typewritten on this and the two preceding pages are executed by Martin Joseph McAllister, legal member of the First-tier Tribunal for Scotland, at Saltcoats on 12 March 2026 before Isabel Garrett, 26 West Doura Avenue, Saltcoats

M J McAllister