

**Housing and Property Chamber**  
First-tier Tribunal for Scotland



**First-tier Tribunal for Scotland (Housing and Property Chamber)**

**Repairing Standard Enforcement Order under Section 24(2) of the Housing (Scotland) Act 2006**

**Reference number: FTS/HPC/RT/25/2115**

**Re: Property at 11/2 Smiths Place, Edinburgh, EH6 8NT as part of subjects described in Disposition to John Smart and others, recorded P.R. 2 November 1966 (SS41022 617/19) (“the Property”)**

**Title No:**

**The Parties:**

**Mr Rana Imran Ashiq (“the Tenant”)**

**Mr Shabbir Hussain, 78 Craighall Road, Edinburgh, EH6 4RG (“the Landlord”)**

**City of Edinburgh Council, Waverlay Court, 4 East Market Street, Edinburgh, EH8 8BG (“the Third Party Applicant”)**

**Tribunal Members:**

**Ruth O’Hare (Legal Member) and Robert Buchan (Ordinary Member)**

Whereas in terms of their decision dated 14 April 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:-

- (i) the structure and exterior of the house (including drains, gutters and external pipes) are in a reasonable state of repair and in proper working order.
- (ii) the installations in the house for the supply of water, gas, electricity (including residual current devices) and any other type of fuel and for sanitation, space heating by a fixed heating system, and heating water are in a reasonable state of repair and in proper working order;
- (iii) any fixtures, fittings and appliances provided by the Landlord under the tenancy are in a reasonable state of repair and in proper working order.

(iv) the property meets the tolerable standard.

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:-

- (i) Provide an up to date electrical installation condition report which covers 100% of the electrical installations by a competent electrician, to include the provision of smoke and heat detectors. The provisions relating to competent electricians are contained in the Scottish Government Statutory Guidance on the Repairing Standard.
- (ii) Provide portable appliance testing certificates for the appliances provided by the Landlord.
- (iii) Provide an up to date gas safety certificate from a Gas Safe registered engineer. The certificate should address the working order, condition and safety of any gas installations and gas appliances in the property, and address whether there is a carbon monoxide alarm which complies with statutory guidance.
- (iv) Repair or replace the kitchen window to ensure it can be opened and closed safely and is in a reasonable state of repair and in proper working order.
- (v) Replace the sealant around the bath to ensure that it is watertight.
- (vi) Provide invoices and receipts for the works required under paragraphs (i) to (v).

The Tribunal orders that the works specified in this Order must be carried out and completed within a period of one month from the date of service of this Notice.

### **Right of Appeal**

**In terms of Section 46 of the Tribunal (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 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 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 Ruth O'Hare, Chairperson, c/o Glasgow Tribunals Centre, 20 York Street, Glasgow, G2 8GT in Aberdeen on 14 April 2026 before this witness:-

**R O'Hare**