



**Statement of Decision of the Housing and Property Chamber of the First-tier Tribunal for Scotland under Section 26 (1) of the Housing (Scotland) Act 2006**

**Chamber Reference number: FTS/HPC/RP/25/0469**

**Re: Property at 38 Hillwood Terrace, Ratho Station, Newbridge EH28 8QA (“the Property”)**

**Title No: MID63267**

**The Parties:**

**Miss Cassie Allan, 38 Hillwood Terrace, Ratho Station, Newbridge EH28 8QA (“the Tenant”)**

**Mr Miraz Alam, 21 Delaporte Close. Epsom, Surrey KT17 4AF (“the Landlord”)**

**Tribunal Members: George Clark, Legal Member  
Robert Buchan, Ordinary (Surveyor) Member**

**Decision**

**The First-tier Tribunal for Scotland Housing and Property Chamber decided to issue a Variation of a Repairing Standard Enforcement Order in respect of the Property made on 15 August 2025.**

**Background**

1. On 15 August 2025, following an Inspection and Hearing on 7 August 2025, the Tribunal made a Repairing Standard Enforcement Order (“RSEO”) in respect of the Property. The RSEO required the Landlord:
  - (i) To repair or replace the front door, threshold and the windows, so that they are wind and water tight, in a reasonable state of repair, and in proper working order, including being capable of being opened, closed and on the ground floor, lockable.
  - (ii) To instruct a suitably competent joiner to remove the damaged ceilings of the living-room and kitchen. The joiner should provide the Tribunal for their further consideration, with a report, including photographs of the condition of the ceiling joists and the floor below the bathroom above, together with, if necessary, any recommendations for treatment or repair/removal of the joists and floor.

- (iii) If the bathroom floor has to be replaced then this would necessitate the removal and re-instatement of the bathroom fittings but if the floor and joists are found to be sound, to test the bath and shower for any leakage and include the outcome of this testing in the report to the Tribunal.
  - (iv) To reinstate the ceilings but not until the Tribunal has had an opportunity to consider the terms of the joiner's report and to provide any Variation as it may deem necessary to the terms of this Order.
  - (v) To suitably fix the ground floor wc, such that it is in a reasonable state of repair and in proper working order.
  - (vi) To suitably seal and repair all drains, so that they are in a reasonable state of repair and in proper working order.
2. The Tribunal ordered that the necessary report be produced and the repair works completed within three months of the date of service of the Order on the Landlord.
  3. On 6 November 2025, the Tribunal accepted the Landlord's request for a Variation of the RSEO by extending to 31 March 2026 the date by which the works required by the RSEO must be carried out.
  4. On 11 March 2026, the Landlord advised the Tribunal that all works required by the Order have been carried out apart from Item (iv). He sought guidance as to whether he could proceed to reinstate the ceilings, as he had provided a report on 23 February 2026 stating that the bathroom floor and the joists below had been found to be sound.

### **Reasons for Decision**

5. Section 25 of the Housing (Scotland) Act 2006 provides that the Tribunal may at any time vary the Order in such manner as it considers reasonable.
6. The Tribunal was content with the report regarding the bathroom floor and joists beneath it and decided that the Landlord should now be permitted to reinstate the ceilings.

### **Decision**

7. The Tribunal decided to vary the RSEO by amending the terms of Item (iv) of the Order so as to read "To reinstate the ceilings".
8. The Tribunal's Decision was unanimous.

G Clark

\_\_\_\_\_ **Legal Member**    **18 March 2026**