

Housing and Property Chamber
First-tier Tribunal for Scotland



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

Variation of Repairing Standard Enforcement Order (RSEO): Housing (Scotland) Act 2006 Sections 25 and 26

Chamber Ref: FTS/HPC/RP/25/0421

Property: 69 Mahon Court, Moodiesburn, G69 0QF ('The House')

The Parties: -

Rebecca Chester, 16 Askew Drive, Spencers Wood, Reading, Berkshire, RG7 1HG ("the landlord")

Brian Nugent, 69 Mahon Court, Moodiesburn, G69 OHF ("the tenant")

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the tribunal") having determined that the Repairing Standard Enforcement Order relative to the property should be varied, said Repairing Standard Enforcement Order is hereby varied with effect from the date of service of this Notice in the following respects:-

1. The Repairing Standard Enforcement Order is amended to remove items 1, 2, and 3.
2. The period of time within which the landlord is required to carry out such repairs as are required to ensure the electric heaters in the living room, hall and bedroom are in proper working order or replaced is extended to 8 weeks from the date of service of this Notice.
3. Evidence or certification to show that the storage heaters are in proper working order should be produced
4. The period of time within which the landlord is required to carry out such works as are required to ensure that the hot water tap in the kitchen is in a reasonable state of repair and proper working order is extended to 8 weeks 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.

M-C Kelly

Signed:

Date: 12 May 2026

Legal Member of the Tribunal