

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

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

**STATEMENT OF DECISION OF THE TRIBUNAL  
UNDER SECTION 25(1)  
OF THE HOUSING (SCOTLAND) ACT 2006**

**In connection with  
4 David Crescent, Dunfermline, Fife KY11 8HZ ("the House")**

**The Parties:**

**Emma Williamson and Christopher Williamson, 4 David Crescent, Dunfermline,  
Fife KY11 8HZ ("the Tenant")**

**Claire McDonald and Colin McDonald 6 Telowie Avenue, Burns Beach, Perth,  
WA 6028, Australia  
("the Landlord")**

**Tribunal Reference number: FTS/HPC/RP/25/1758**

**Tribunal members:**

**John McHugh, Chairperson  
Greig Adams, Ordinary (Surveyor) Member**

**DECISION**

The Tribunal varies the Repairing Standard Enforcement Order dated 5 December 2025 to allow completion of the required works by 19 May 2026.

## **Background**

On 5 December 2025, the Tribunal issued its decision that the Landlord had failed to comply with the duties imposed by section 14(1)(b) of the Act. On the same date, the Tribunal issued a Repairing Standard Enforcement Order (“the RSEO”) in the following terms:

“1 To provide a report from a suitably qualified electrician (eg SELECT, NICEIC or NAPIT registered) which confirms that the electrical installations in the property are in safe working order such report to confirm specifically the position in relation to the wire in the area of the boiler in the kitchen.

2 To re-decorate the water stained bedroom ceilings.

3 To repair or replace the internal living room door such that it is capable of being opened and closed without difficulty.

4 To provide window blinds for the windows in the kitchen; living room and front bedroom.

The Tribunal orders that the works specified in this Order must be carried out and completed within 42 days from the date of service of this Notice”

On 3 February 2026, the Tribunal re-inspected the House. A Re-inspection Report was issued which noted as follows:

“1. The gas fired boiler located within the Kitchen was noted to have a “Danger Safety Warning Do Not Use” warning attached to the boiler. Within the boiler compartment there was also paper Warning Notice dated 16 January stating “exposed electrics near gas pipe in kitchen”. There was evidence of some electrical remedial works including the provision of enclosures however, there was no evidence of any reinspection by a Gas Safe registered engineer post electrical works to confirm that the boiler is now safely capable of use. No satisfactory Electrical Installation Condition Report (EICR) has been provided to the Tribunal whilst there is no evidence of a satisfactory EICR having been undertaken in the absence of testing labels at the distribution board within the Garage.

2. Initial stain blocking works have been undertaken to both bedroom ceilings leaving a patched appearance and decoration works remain incomplete.

3. Mechanical fixings have been provided at delaminating edges of the veneer of the Living Room door however, circular damage is evident around the fixings to the veneer and decoration of the door resultant from the remedial works, leaving a poor appearance.

4. The Living Room blind has been provided and hung adequately. A blind has also been installed within the Kitchen however, the blind rod/wand is missing impeding operation of the blind. The Bedroom blind had not been fitted.”

## **Hearing**

The Landlord’s agent, Martin Urquhart had been delayed on his journey to the re-inspection visit and so had missed it. He requested an oral hearing be fixed.

A telephone hearing took place on 21 April 2026. The Applicants attended. Mr Urquhart represented the Respondent. In relation to Item 1 (electrical safety), Mr Urquhart felt certain that a report by an electrician had been provided but could not locate it during the hearing. Neither the Applicant nor the Tribunal recalled having seen a report. There is no doubt that electrical works have been done but there does not yet appear to have been a report which complies with the wording of the RSEO.

The Tribunal has seen a receipt for electrical works from a contractor and Mr Urquhart’s correspondence with the Health & Safety Executive, neither of which constitute what is required by the RSEO.

As regards the blinds, the works are partly complete. The bedroom blind does not fit the window recess. The Respondent had suggested fitting it on the outside of the recess but the Applicants do not think it would fit because of the curtains. The bedroom ceilings remain unpainted. The living room door has not been finished but the Respondent now intends to replace it and measurements have been taken.

There was a difference between the parties as to the reason why the works remain incomplete. The Respondent complains that the Applicants have been difficult about access by insisting upon weekend works when contractors were unavailable. The Applicants say that they have not prevented access during reasonable times but that they have suffered a long and frustrating history of delays in repairs and so have

questioned the purpose of appointments. They had allowed measurements for new doors. They had indicated that works to one of the bedrooms would disrupt Mr Williamson's work and wanted those works done during a weekend. They were happy that the other works were able to be accommodated on a week day. There appears to have been a misunderstanding between the parties on this point.

The Tribunal suggested and the parties agreed that a period of a further four weeks should be allowed for the remaining works required by the RSEO to be completed.

The parties are reminded that each should make reasonable efforts to accommodate the other in terms of the scheduling of work appointments.

### **Reasons for the Decision**

The Tribunal considers that, in the circumstances narrated above, there is a reasonable basis to vary the time provided for completion of the works in the RSEO.

## **Decision**

The Tribunal, considering the terms of section 25 of the Act, determined that the RSEO will be varied by allowing until 19 May 2026 for completion of the works required by the RSEO.

The decision of the Tribunal was unanimous.

## **Right of Appeal**

**A landlord, tenant or third party applicant aggrieved by the decision of the tribunal may seek permission to appeal from the First-tier Tribunal on a point of law only within 30 days of the date the decision was sent to them.**

## **Effect of Section 63 of the 2006 Act**

Where such an appeal is made, the effect of the decision and of the order is suspended until the appeal is abandoned or finally determined, and where the appeal is abandoned or finally determined by confirming the decision, the decision and the order will be treated as having effect from the day on which the appeal is abandoned or so determined.

# J McHugh

John M McHugh  
Chairperson

Date: 21 April 2026