Housing and Property Chamber
First-tier Tribunal for Scotland

Repairing Standard Enforcement Order

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

(Hereinafter referred to as "the Tribunal")

Case Reference Number: FTS/HPC/RP/25/2643

Re: 9 Kenmuiraid Place, Bellshill, North Lanarkshire, ML4 2AL ("the house")

Land Register Title No: LAN13345

Mr Stephen Swiffen, Ms Tracie Ann Smith, Ms Gemma Stannway, 9 Kenmuiraid Place, Bellshill, North Lanarkshire, ML4 2AL ("the Tenants")

Ms Julie Paszkiewicz, 65 Winning Quadrant, Wishaw ML4 2AL ("the Landlord")

Sarah O'Neill (Legal Member) and Andrew McFarlane (Ordinary (Surveyor) Member)

NOTICE TO: Ms Julie Paszkiewicz (the Landlord)

Whereas in terms of its decision dated 21 May 2026, the tribunal determined that the landlord had failed to comply with the duty imposed by Section 14 (1) (b) of the Act, and in particular that the landlord has failed to ensure that the house meets the repairing standard in that 1) some aspects of the structure and exterior of the house is not in a reasonable state of repair and in proper working order and 2) some fixtures, fittings and appliances are not in a reasonable state of repair and in proper working order

The tribunal therefore makes a Repairing Standard Enforcement Order (RSEO) as required by section 24 (2) of the Act.

The tribunal now requires the landlord to carry out such work as is necessary for the purpose of ensuring that the house meets the repairing standard, and that any damage caused by the carrying out of any work in terms of this order is made good before the date specified in this order.

In particular, the tribunal requires the landlord to:

1. Engage a Gas Safe Registered Engineer to connect the currently unconnected gas cooker to the main supply to leave it in a reasonable state of repair and in proper working order.

2. Engage an appropriately qualified specialist contractor to inspect and report on the sealants on the visible sections of the flue pipe from the wood burning stove. Send a copy of the contractor's report to the tribunal for its approval. Once the report has been approved, carry out any remedial works recommended by the contractor, to ensure that the sealants are in a reasonable state of repair and in proper working order.

3. Replace the missing section of the plastic facing above the window to the rear dormer to leave it in a reasonable state of repair and in proper working order.

4. Restore the paving slabs on the direct route from the public footpath to the front door of the house to leave that area of the driveway free from trip hazards and in a reasonable state of repair and in proper working order.

5. Reinstate the fencing to the front of the property demarcating the side of the shared access to the rear. Repair or replace, in conjunction with adjoining proprietors, fences separating the rear garden round to the house from surrounding properties to leave in a reasonable state of repair and in proper working order.

6. Repair or replace defective areas of the shed wall, floor, door and roof boarding to leave in a reasonable state of repair and in proper working order. Recover the roof to leave it in a wind and watertight condition.

7. Reinstate missing sections of plasterboard or plaster to ceiling and walls in the smaller front bedroom at first floor level around the boiler to leave it ready for decoration.

8. Patch repair flooring in smaller front bedroom at first floor level in area below boiler and around pipes to leave ready for floor coverings.

9. Fix in place 2 missing tiles in the kitchen floor (understood to be on site) to match as closely as possible surrounding tiling and to leave the floor in a reasonable state of repair and in proper working order.

10. Supply and fit door bars (cover strips) to seal the junctions between the carpet finish to floor of first floor landing and the adjacent smaller and larger front bedrooms to leave these in a reasonable state of repair and in proper working order.

11. Remove the existing damaged toilet roll holder and replace with a similar item to leave in a reasonable state of repair and in proper working order.

12. Remove the existing unfixed coat hooks and either fix in position or supply and fix a similar item to fit in the available space all to leave in a reasonable state of repair and in proper working order.

13. Remove the decorative concrete finials from the planter to the front of the house. Cut off the metal pins exposed as a result by cutting off or otherwise treating to remove sharp surfaces.

14. Carry out any decorative works required to make good finishes as necessary as a result of the items listed above.

The Tribunal orders that the works specified in this order must be carried out and completed within the period of eight weeks from the date of service of this notice.

Rights of Appeal

In terms of section 46 of the Tribunals (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 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 Housing (Scotland) Act 2006, 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 preceding page are signed by Sarah Frances O'Neill, solicitor, Chairperson of the First-tier Tribunal (Housing and Property Chamber), at Glasgow on the twenty-first day of May, Two Thousand and Twenty-Six before this witness –

J Buchanan S O'Neill

_____ witness _____ Chairperson

Jamie Buchanan name in full

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