

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/25/3810

Re: 29 Burns Drive, Johnstone, Renfrewshire, PA5 0HA (“the house”)

Land Register Title No: REN108678

Mr Lee Burke and Miss Donna Fagan, 29 Burns Drive, Johnstone, Renfrewshire, PA5 0HA (“the Tenant”)

Mr Brian Wallace, 83 Scott Avenue, Johnstone, Renfrewshire PA5 0HF (“the Landlord”)

NOTICE TO: Mr Brian Wallace (the Landlord)

Whereas in terms of its decision dated 22 June 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, 2) the installations in the house for the supply of electricity (including residual current devices) are not in a reasonable state of repair and in proper working order and 3) 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. Repair or replace the broken kitchen drawer to ensure that it closes and is otherwise in a reasonable state of repair and in proper working order.
2. Replace the bath panel to ensure that it is in a reasonable state of repair and in proper working order.
3. Replace the kitchen flooring with new flooring suitable for use in a kitchen to ensure that it is in a reasonable state of repair and in proper working order.
4. Provide to the tribunal an up to date Electrical Installation Condition Report (EICR) for the house, showing that:
 - 1) all electrical installations, appliances and fixtures and fittings supplied by the landlord within the house have been checked and are in satisfactory condition.
 - 2) an appropriate RCD (residual current device) has been installed.
 - 3) the relevant contractor has checked whether the electric oven is hardwired, and if not has taken any necessary action to ensure that it is safely and adequately connected to the electrical supply.

The EICR must be produced by either:

- a suitably qualified and registered SELECT or NICEIC contractor
- a member of NAPIT, or
- a contractor who is able to provide evidence that they are a 'competent person' i.e. a completed and signed checklist, as set out at Annex A on page 13 of the guidance by Scottish Ministers on Electrical Installations and Appliances in Private Rented Property, which can be found on the [Chamber's website](#).

The Tribunal orders that the works specified in this order must be carried out and completed within the period of **two months** 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-second day of June, Two Thousand and Twenty-Six before this witness –

S O'Neil

HP/25/0259

Housing and Property Chamber
First-tier Tribunal for Scotland



Christopher Tracey
Casework Officer
0141 302 5900
HPCAdmin@scotcourtribunals.gov.uk