



Housing and Property Chamber

First-tier Tribunal for Scotland

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

Repairing Standard Enforcement Order (RSEO): Housing (Scotland) Act 2006 Section 24

Case Reference FTS/HPC/RP/25/3330

Property at Flat 3/2, 493 Victoria Road, Glasgow, G42 8RL ("the Property"), being ALL and WHOLE that flatted dwellinghouse known as and forming Flat 3/2, 493 Cathcart Road Glasgow, G42 8RL being Part and Portion of the subjects more particularly described in the Disposition in favour of Cathcart District Railway Company recorded in the Division of the General Register of Sasines for the Barony and Regality of Glasgow on 3rd February and 23rd March 1886.

The Parties: -

Mr Michael White, residing at Flat 3/2, 493 Victoria Road, Glasgow, G42 8RL ("The Tenant"),

And

NETWORK RAIL INFRASTRUCTURE LIMITED, a company incorporated under the Companies Acts (Registered Number 02904587) and having its registered office at Waterloo General Office, London, United Kingdom, SE1 8SW ("The Landlord")

Whereas in terms of their decision dated 5th April 2024, the First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined that the Landlord has failed to comply with the duty imposed by Section 14 (1)(b) of the Housing (Scotland) Act 2006 ("The Act"), and in particular that the Landlords have failed to ensure compliance with section 13(1) of the Act, the Tribunal now requires the Landlords to carry out such works as are necessary for the purposes of ensuring that the House concerned meets the repairing standard and that any damage caused by the carrying out of any work in terms of this Order is made good.

The Tribunal requires the landlords to carry out such works as are necessary to ensure that the Property (both in relation to the internal parts of the Property and the common parts of the Property) meets the repairing standard in all respects (having regard to the works as recommended by IDP Architects LLP within their dated 13th May 2026).

The Tribunal order that the works specified in this Order must be carried out and completed by 30th November 2026.

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.

In witness whereof these presents type written on are executed by Andrew Cowan, legal member of the Tribunal, at Glasgow on 21st July 2026 in the presence of the undernoted witness:-

EILIDH MELVIN

ANDREW COWAN

witness

Legal Member

.name in full

. Address