

Housing and Property Chamber
First-tier Tribunal for Scotland



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

Reference Number: FTS/HPC/RP/25/4288

RE: Property at 98 Calder Place, Hallglen, Falkirk FK1 2QQ

(hereinafter referred to as "the Property").

Title Number: STG21568 in the Land Register of Scotland

The Parties:-

**Martha-Marie Mooney, 98 Calder Place, Hallglen, Falkirk FK1 2QQ
("the Tenant")**

**Gail Paterson, James Paterson, Dunislay Cottage, Halls of Airth, Falkirk FK2 8PM
("the Landlords")**

NOTICE TO

**Gail Paterson, James Paterson, Dunislay Cottage, Halls of Airth, Falkirk FK2 8PM
("the Landlords")**

Whereas in terms of their decision dated 24 July 2026, the First-tier 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 that any fixtures, fittings and appliances provided by the Landlords under the tenancy are in a reasonable state of repair and in proper working order and that the Property is substantially free from rising or penetrating damp.

The First-tier Tribunal now requires the Landlords to carry out such work as is necessary for the purposes of ensuring that the Property meets the repairing standard under section 13(1) of the Act and that any damage caused by carrying out of any work required under this Order is made good.

In particular, the First-tier Tribunal requires the Landlords:-

- 1) To instruct a qualified chartered building surveyor to carry out further detailed investigations as to the source and extent of dampness and mould within the upstairs rear bedroom of the Property and to prepare a report recommending appropriate remedial works to eradicate the dampness and mould in order to**

ensure the Property meets the Repairing and Tolerable standards and to submit the report to the Tribunal for further consideration.

- 2) To repair or replace the access gate for the rear garden to ensure that it is in a reasonable state of repair and proper working order.
- 3) To remove the unused television aerial and any associated loose wiring from the roof of the Property

The First-tier Tribunal order that works specified in this Order must be carried out and completed within the period of two months from the date of service of this Order.

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 of 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 Act, a landlord who, without reasonable excuse, fails to comply with a Repairing Standard Enforcement Order (RSEO) commits an offence liable on summary conviction to a fine not exceeding level 3 on the standard scale. A landlord (including any successor in title) also commits an offence if he or she or they enter into a tenancy or occupancy arrangement in relation to a house at any time during which a RSEO has effect in relation to a house. This is in terms of Section 28(5) of the Act.

IN WITNESS HEREOF, these presents typewritten on this page, and the preceding page are executed by Rory A. B. Cowan, Legal Member of the First-tier Tribunal: Housing and Property Chamber at Glasgow on 28 July 2026 before this witness:

R Cowan
Sign

..... Date: 28 July 2026

Rory A. B. Cowan
J Deane

..... Witness Date: 28 July 2026

JACKSON DEANE
..... Name of Witness