



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

(Hereinafter referred to as “the tribunal”)

Statement of decision of the Tribunal under Section 25 of the Housing (Scotland) Act 2006

Case Reference Number: FTS/HPC/RP/25/2091

Re: 10 Ross Road, Saltcoats, North Ayrshire, KA21 6AH (“the house”)

Land Register Title No: AYR16118

Ms Janette Hamilton, 10 Ross Road, Saltcoats, North Ayrshire, KA21 6AH (“the Tenant”)

Mr Colin Seggie, c/o Hovepark Lettings Ltd, 56 Hamilton Street, Saltcoats, North Ayrshire KA21 5DS 7LA (“the Landlord”)

Sarah O'Neill (Legal Member) and Sara Hesp (Ordinary (Surveyor)) Member

Repairing Standard Enforcement Order Against:

Mr Colin Seggie (the landlord)

Background

1. The tribunal issued a decision on 9 March 2026 requiring the landlord to comply with the Repairing Standard Enforcement Order (RSEO) relative to the property issued by the tribunal on the same date.
2. The RSEO required the landlord to:
 - 1) Replace the rear window in the living room to ensure that it is wind and watertight, capable of being opened and in a reasonable state of repair and in proper working order.
 - 2) Repair or replace the carpet grips on the top three stairs to ensure that they are safe and in a reasonable state of repair and in proper working order.

- 3) Repair or replace the window in the bathroom to ensure that it is wind and watertight, capable of being opened and in a reasonable state of repair and in proper working order.
- 4) Replace the fences at both the front and rear left hand-side boundary of the house to ensure that they are in a reasonable state of repair and in proper working order.

The Tribunal ordered that all of the works must be carried out and completed within the period of **two months** from the date of service of the RSEO.

3. The tribunal carried out a re-inspection of the house on 21 May 2026. It found that most of the works in the RSEO had been undertaken, but that the following works remained outstanding:
 - 1) The landlord should ensure that any threads to the stair carpet are properly finished to avoid the development of issues that may compromise health and safety.
 - 2) Further repair or replacement of the bathroom window is required to ensure that it meets the requirements of the Repairing Standard Enforcement Order.
 - 3) The front right hand boundary fence remains unstable and this requires further repair.
4. The tribunal wrote to both parties on 8 June 2026 with a copy of its re-inspection report. Written representations were invited in response to the report by 22 June 2026. No response was received from either party.
5. The tribunal issued a direction to the parties on 25 June 2026. It stated that before making a decision on whether the landlord had complied with the RSEO, the tribunal required further information. It therefore directed the landlord to provide by 14 July 2026 confirmation as to what action, if any, had been taken to address each of the three outstanding items identified in the re-inspection report, together with any available documentary evidence to show that any or all of these outstanding matters had been addressed.
6. Further correspondence was received from the landlord's representative on 30 June, 1, 2 and 13 July 2026. This stated that the remaining repairs had been carried out and provided written evidence with regard to the bathroom window and the fence repairs.
7. The landlord's representative indicated, however, that an invoice was awaited regarding replacement of the stair carpet, which had been delayed due to the contractor's holiday. The landlord's representative also requested permission

to submit video evidence regarding the operation of the bathroom window. Arrangements are being put in place for this evidence to be viewed by the tribunal and the tenant.

8. In all the circumstances, the tribunal decided to extend the period for the completion of the works until 4 **August 2026**, to allow for the outstanding evidence to be submitted and considered.

Rights of Appeal

9. 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.
10. 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.

SARAH O'NEILL

Signed.....Date.....21 July 2026

Sarah O'Neill, Chairperson