

Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 24 (1) of the Housing (Scotland) Act 2006 ("The Act")

Reference number: FTS/HPC/RP/26/0441

Re: Property at 1 Moffat Road, Ormiston, East Lothian, EH35 5JZ ("the Property")

The Parties:

Ms Shirley Hamilton ("the Tenant")

Dynamic Property Scotland Ltd, c/o Dunedin Property Management, 80 Main Street, Davidson Mains, Edinburgh, EH4 5AB ("the Landlord")

Decision

[1] The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") having made such enquiries as it saw fit for the purposes of determining whether the Landlord had complied with the duty imposed by Section 14 (1) (b) of the Housing (Scotland) Act 2006 ("the Act") in relation to the Property determined that the Landlord has not failed to comply with the duty imposed by Section 14 (1) (b) and refuses the Application.

Background

[2] The Applicant sought a determination that the Landlord had failed to comply with their duty under Section 14 (1)(b) of the Act in that the Property does not meet the Repairing Standard in respect of Section 13 (1) of the Act:

[3] The Tribunal intimated to all parties that they would inspect the Property at 10 am on 2 September 2026 and a hearing would be held at Edinburgh Tribunals Centre at 11.30am on the same date.

The Inspection and Hearing

[4] When the Tribunal carried out its inspection in the presence of the Landlord's letting agent and the tenant, it was apparent that the issues had been comprehensively resolved and there were no outstanding areas of concern. All the repairs had been carried out and the Tenant confirmed that she agreed that the Property now met the repairing standard.

[5] The Tribunal therefore confirmed to the Tenant at the Hearing, that the Application was refused and that no action would be taken.

Decision

[6] The Application is refused.

The decision of the Tribunal is unanimous

Right of Appeal

In terms of Section 46 of the Tribunal (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.

A McLaughlin

Legal Member/Chair

2 September 2026
Date