

Housing and Property Chamber

First-tier Tribunal for Scotland



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/26/0652

Re: Property at 41 Main Street, Ceres, Fife, KY15 5NA ("the Property")

The Parties:

**Mr Lewis Adamson, 41 Main Street, Ceres, Fife, KY15 5NA
("the Tenant")**

Mr Peter Wood, Mrs Linda Wood, Knockhill Farm High Road,, Strathkinness,, Saint Andrews, KY16 9SL; Knockhill Farm High Road,, Strathkinness, Saint Andrews, KY16 9SL ("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 4 September 2026 and a Hearing would be held at Lomond House, Glenrothes at 11.30am on the same date.

The Inspection and Hearing

[4] When the Tribunal carried out its inspection in the presence of the Landlords and their solicitor, it was apparent that the issues had been comprehensively resolved and there were no outstanding areas of concern. The Tenant had previously confirmed that they had left the Property. The Tribunal however had decided to continue with the Application as the Application raised health and safety concerns.

[5] At the Inspection, the Tribunal confirmed to the Landlord that it was clear that the repairs had been carried out and that the Tribunal would therefore not intend to make any order. The Landlord thereafter confirmed that they would not be attending the Hearing. There was no other party with an interest in the proceedings. When the Tribunal attended at Lomond House for the scheduled Hearing, the Tribunal simply refused the Application with no parties being in attendance.

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

4 September 2026

Date

