



**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/25/4823

Re: Property at G/L, 2 Roseberry Street, Dundee, DD2 2NS (“the Property”)

The Parties:

Mr Mattia Pulvirenti (“the Tenant”)

**Ms Rosemary Kirby-Jones, 91/47 Henderson Row, Edinburgh, EH3 5BH (“the
Landlord”)**

Tribunal Members:

Andrew McLaughlin (Legal Member) and David Godfrey (Ordinary Member)

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] By Application dated 9 November 2025, The Applicant seeks a determination that the Landlord has failed to comply with his 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 Application narrated the following two principal issues:

- 1. *A leak in the bedroom ceiling.***

2. A faulty storage heater in the kitchen.

[4] The Tribunal intimated to all parties that they would inspect the Property at 10 am on 31 August 2026 and a hearing would be held at Dundee Carer's Centre at 11.30am on the same date. The previous tenant had ended his tenancy and moved out of the Property. The Tribunal had emailed the Tenant on more than one occasion asking him to confirm whether he had moved out but he did not respond to the emails. Due to the lack of engagement from the Tenant, The Tribunal could not consider it appropriate to treat the matter as having been abandoned or resolved.

The Inspection and Hearing

[5] When the Tribunal carried out its inspection in the presence of the Landlord's letting agent, Mr Latif and the new tenant currently occupying the Property (who kindly allowed access), it was apparent that the issues had been comprehensively resolved and there were no outstanding areas of concern.

[6] The Tribunal therefore confirmed to Mr Latif at the outset of the Hearing, that the Application was refused and that no action would be taken.

Decision

[7] 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.McLaughlan_____
Legal Member/Chair

31 August 2026
Date