Housing and Property Chamber
First-tier Tribunal for Scotland

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

Repairing Standard Enforcement Order under Section 24(2) of the Housing (Scotland) Act 2006

Reference number: FTS/HPC/RT/26/0945

Re: Property at MID BRAE OF SCURDARGUE, RHYNIE, HUNTLY, ABERDEENSHIRE, AB54 4HG under Title Number ABN132685 ("the Property")

The Parties:

Mr David Patrick ("the Tenant")

Mr George Scott, DRUMNOTH, RHYNIE, HUNTLY, ABERDEENSHIRE, AB54 4HG ("the Landlord")

Aberdeenshire Council, Repair Department, Harlaw Road, Inverurie, AB51 4TE ("the Third Party Applicant")

Tribunal Members:

Ruth O'Hare (Legal Member) and Angus Anderson (Ordinary Member)

Whereas in terms of their decision dated 19 October 2026, the First-tier Tribunal for Scotland (Housing and Property Chamber) ("the 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 landlord has failed to ensure that:-

(i) In respect of section 13(1)(c), the installations within the property for the supply of electricity are in a reasonable state of repair and in proper working order.

(ii) In respect of section 13(1)(h), the property meets the tolerable standard.

the Tribunal now requires the landlord to carry out such work as is necessary for the purposes of ensuring that the house concerned meets the Repairing Standard and that any damage caused by the carrying out of any work in terms of this Order is made good.

In particular the Tribunal requires the landlord to:-

(i) Provide an updated EICR from a suitably qualified electrician with no C1 or C2 defects, or evidence that the defects identified in the EICR dated 6 July 2024 have been addressed in the form of photographs, invoices and/or receipts.

(ii) Install smoke and heat detection, and carbon monoxide detection, within the property in compliance with Scottish Government guidance.

The Tribunal orders that the works specified in this Order must be carried out and completed within a period of one month from the date of service of this Notice.

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.

Where such an appeal is made, the effect of the decision and of any order is suspended until the appeal is abandoned or 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 determined.

Please note that in terms of section 28(1) of the Act, a landlord who, without reasonable excuse, fails to comply with a RSEO commits an offence liable on summary conviction to a fine not exceeding level 3 on the standard scale. A landlord (and that includes any landlord's successor in title) also commits an offence if he or she enters into a tenancy or occupancy arrangement in relation to a house at any time during which a RSEO has effect in relation to the house. This is in terms of Section 28(5) of the Act.

In witness whereof these presents type written on this and the preceding page(s) are executed by Ruth O'Hare, Chairperson, c/o Glasgow Tribunals Centre, 20 York Street, Glasgow, G2 8GT in Aberdeen on 19 October 2026 before this witness:-

PATRICK ROBB

__ witness

RUTH O'HARE

_ Chairperson

Patrick Robb, c/o Glasgow Tribunals Centre
20 York Street, Glasgow, G2 8GT