

Housing and Property Chamber

First-tier Tribunal for Scotland



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

**DECISION OF THE TRIBUNAL
UNDER SECTION 60
OF THE HOUSING (SCOTLAND) ACT 2006**

**RE: All and Whole the dwelling house known as 14 Union Road,
Broxburn EH52 6HR registered in the Land Register under Title no
WLN56595 ("the House")**

The Parties:

Mr Mariusz Kuprowski, 14 Union Road, Broxburn EH52 6HR ("the Applicant")

Mr Peter and Mrs Norma Gray, 8-10 Union Road, Broxburn EH52 6HR ("the Respondent")

Chamber Ref: FTS/HPC/RP/24/5777

Tribunal Members:

John McHugh (Chairman) and Greig Adams (Ordinary (Surveyor) Member).

DECISION

The Tribunal having carried out a further inspection of the House and considered the evidence provided by the Respondent determined that the work required by the Repairing Standard Enforcement Order dated 24 March 2023 ("the RSEO") had been completed.

The decision of the Tribunal was unanimous.

Background

The RSEO required the Landlord to complete the following work within 60 days of service of the RSEO: The requirements of the RSEO are as follows:

“1 To install a suitable extractor fan in the bathroom.

2 To repair or replace the windows so that all windows in the House are capable of being opened and closed easily as designed and are reasonably weatherproof.

3 To install a functioning shower within the shower cubicle area of the bathroom.

4 To treat the walls and ceilings affected by mould such that all mould is removed..”

The Tribunal carried out a re-inspection on 2 December 2025. The surveyor member's report was issued to the Landlord for comment.

It was found that the works required by paragraphs 1 and 3 had been completed. The works required by paragraphs 2 and 4 had not been completed.

At a further re-inspection on 1 May 2026, the Tribunal observed that the works required by Item 4 had been completed. Two windows had been overhauled but one remained prone to slam shut.

On 30 May 2026, the Respondent produced evidence of the completion of the remaining works required by the RSEO, being replacement of the window in question.

Reasons for the Decision

The Tribunal found that the Respondent had evidenced that it had completed the works required by the RSEO.

Right of Appeal

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.

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.

J McHugh

John McHugh
Chairperson

Date: 1 September 2026