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

Variation of Repairing Standard Enforcement Order ("RSEO"): Housing (Scotland) Act 2006 Section 25

Chamber Ref: FTS/HPC/RP/25/4288

Title no: STG21568 in the Land Register of Scotland

Property at 98 Calder Place, Hallglen, Falkirk FK1 2QQ ("The House")

The Parties:-

Martha-Marie Mooney, 98 Calder Place, Hallglen, Falkirk FK1 2QQ ("the Tenant")

Gail Paterson, James Paterson, Dunislay Cottage, Halls of Airth, Falkirk FK2 8PM ("the Landlords")

The First-tier Tribunal for Scotland (Housing and Property Chamber) ('the tribunal') determined on 12 October 2026 that the **RSEO** relative to the House served on 5 August 2026 should be varied, and the said **RSEO is hereby varied** with effect from the date of service of this Notice in the following respects:-

1) By deleting paragraph 1 of the RSEO and substituting therefore the following:

"To instruct a qualified chartered building surveyor or another competent person as defined and required by The Investigation and Commencement of Repair (Scotland) Regulations 2026 along with the associated Scottish Government guidance in force from 6 October 2026 to investigate the source of dampness and mould within the upstairs rear bedroom of the Property and to prepare a report identifying the cause and source of dampness and recommending any remedial works to eradicate the dampness and mould in order to ensure the Property meats the Repairing and Tolerable standards and to submit the report to the tribunal for further consideration."

2) By deleting paragraph 3 of the RSEO and substituting therefore the following:

"To repair or replace unused television aerial to ensure that it along with any associated wiring is secured to the roof of the Property."

3) The period allowed for the completion for the provision of the detailed schedule and specification be extended for a period of 28 days from the date of service of this Notice.

Subsection 25(3) of the Housing (Scotland) Act 2006 as amended does apply in this case.

A landlord, tenant or third-party applicant 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.

In terms of Section 63 of the Act, 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.

In witness whereof these presents type written on this and the preceding page are executed by Rory A B Cowan legal member of the Tribunal, at Glasgow on the 16th day of October 2026 in the presence of the undernoted witness:-

R Cowan

J Deane

_____witness Legal Member

JACKSON DEANE name in full

C/O/ 16 Royal Exchange Square Address

Glasgow

G1 3AG