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

Repairing Standard Enforcement Order (RSEO): Housing (Scotland) Act 2006 Section 24

Chamber Ref: FTS/HPC/RP/24/5595

Title no: LAN87558

95 Stevenston Court, New Stevenston, ML1 4HW
("the House")

The Parties:-

Mr Jacek Gizinski, 95 Stevenston Court, New Stevenston, ML1 4HW
("the Tenants")

Mrs Sharon Kerr, c/o Property Angels, 14 Main Street, Bothwell, G71 8RF
("the Landlord")

Whereas in terms of their review decision dated 20 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 the House is:-

(a) Substantially free from damp and mould,

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:-

(a) To clean and treat with mould wash all wall surfaces within the Property which exhibit signs of mould growth; and
(b) To inspect and, where necessary, put into working order all fixed space heating apparatus within the Property.

The Tribunal orders that the works specified in this Order must be carried out and completed within the period of 42 days from the date of service of this Notice.

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.

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 are executed by Mr Andrew Upton, legal member of the Tribunal, at Glasgow on 28 October 2026 in the presence of the undernoted witness:-

A Upton

_____