

# Housing and Property Chamber First-tier Tribunal for Scotland



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

**Revocation of Repairing Standard Enforcement Order: Housing (Scotland) Act 2006 Section 25 (“the Act”)**

**Chamber Ref: RP/16/0258**

**Title no: Title number GLA44908**

**Property: Flat 0/1, 174 Calder Street, Glasgow G42 7QR, (“the House”)**

**The Parties:-**

**Ms Blaithin O’Connor, residing at the property, (“the applicant and former tenant”)**

**And**

**Mr Michael George Forsythe and Mrs Laura Elizabeth Forsythe, per Grant Property Solutions Limited, 14 Coates Crescent, Edinburgh EH3 7AF (“the landlord”)**

## **Decision**

The First-tier Tribunal for Scotland (Housing and Property Chamber) (‘the Tribunal’) having determined that the work required by the Repairing Standard Enforcement Order relative to the property dated 10 October 2016 as varied by Minute of Variation dated 7 February 2017 (“the RSEO”) is no longer necessary, the RSEO is hereby revoked with effect from the date of service of this Notice.

## **Reasons**

1. Following the issue of the Notice of Failure in respect of the property dated 17 July 2017, Glasgow City Council advised the tribunal by email dated 31 October 2017 that Govanhill Housing Association had acquired the property from the landlord.
2. By letter dated 30 January 2018 Govanhill Housing Association confirmed that they had acquired the property and that it will be included within their Major repair contract and receive full internal refurbishment works. They advised that the contract is scheduled to commence in April 2018 and that the flat will remain vacant until all works are completed and approved by their Maintenance and Housing Teams.

3. In light of this information the tribunal determined that as the property has been removed from the private rented housing sector and is scheduled for refurbishment by Govanhill Housing Association: in terms of section 25(1)(b) of the Act the tribunal considers that the works required by the RSEO are no longer necessary and that it is hereby revoked.

**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 as follows:

D Preston

Chairing Member

OBAN

Place of signing

14 February 2018

Date of signing

W G Seaton

Witness signature

22 ARGYLL SQUARE Witness address

OBAN

PA 34 4AT.