

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



**Rent Relief Order**

**Ordered by the Housing and Property Chamber of the First-tier Tribunal for Scotland under Section 27 of the Housing (Scotland) Act 2006**

**Property: 5 Royal Crescent, Edinburgh EH3 6PZ ("the Property")**

**Sasine Description: ALL and WHOLE the westmost dwellinghouse on the first flat above the street flat of the tenement entering by the common passage and stair Number 5 (formerly 12) Royal Crescent, in the City of Edinburgh and County of Midlothian, being the subjects more particularly described in Disposition in favour of Alexander Jervis, recorded in the Division of the General Register of Sasines applicable to the County of Edinburgh (now Midlothian) on 17 May 1881.**

**Chamber Reference: FTS/HPC/RT/18/3063**

**Mr Ian Osborne, 5 Royal Crescent, Edinburgh EH3 6PZ, represented by Harmony Care and Support Service, 142A Ferry Road, Edinburgh EH6 4NX ("the Tenant")**

**Freeworld Holdings Limited, incorporated under the Companies Acts (SC187349) and having its Registered Office at 13 Castle Terrace, Edinburgh EH1 2DP ("the Landlord")**

**Third Party Applicant: City of Edinburgh Council**

**Tribunal Members – George Clark (Legal Member/Chairperson) and Sara Hesp (Ordinary Member/Surveyor)**

**NOTICE TO FREEWORLD HOLDINGS LIMITED ("the Landlord")**

Whereas in terms of their decision dated 10 September 2019, the Housing and Property Chamber of The First-tier Tribunal for Scotland ("the Tribunal") determined, in terms of Section 26(1) of the Housing (Scotland) Act 2006 ("the Act") that the Landlord has failed to comply with the Repairing Standard Enforcement Order in relation to the house made by the Private Rented Housing Committee on 27 February 2019.

The Tribunal determined to make a Rent Relief Order in terms of Section 27 of the Act reducing the rent payable under the tenancy for the house by an amount of 15% of the rent which would, but for the Order, be payable. The rent reduction will take effect on the date which is 28 days after the last date on which the decision to make the Rent Relief Order may be appealed.

### **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.

G Clark

\_\_\_\_ Legal Member/Chair 10 October 2019