

**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: South Barbeth Cottage, New Abbey, Dumfries DG2 8DB ("the Property"/ "the house")

Title No: KRK2334 (part)

Chamber Reference: FTS/HPC/RT/19/2313

Parties:

Mr Scott Wright and Ms Bernadette Ellis, South Barbeth Cottage, New Abbey, Dumfries DG2 8DB ("the Tenant")

Mr Hope Vere Anderson, Barbeth House, New Abbey, Dumfries DG2 8DB ("the Landlord")

Dumfries & Galloway Council, Strategic Housing Services, Council Offices, Buccleuch Street, Dumfries DG1 2AD ("Third Party Applicant")

Tribunal Members – George Clark (Legal Member/Chairperson) and Donald Wooley (Ordinary Member/Surveyor)

NOTICE TO Mr HOPE VERE ANDERSON ("the Landlord")

Whereas in terms of their decision dated 16 March 2020, 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 1 October 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 30% 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.

George Clark

_____ Legal Member/Chair 16 March 2020