

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

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

**Repairing Standard Enforcement Order**

**Housing (Scotland) Act 2006: Section 24 (2)**

**House at 1H Castle Keep Gardens, Stanecastle, Girdle Toll, Irvine, KA11 1AF  
registered in the Land Register of Scotland under Title Number AYR59606  
("the Property")**

**Case Reference FTS/HPC/RP/21/0390**

Mrs Fiona A-E Bevan, formerly residing at 1H Castle Keep Gardens, Stanecastle, Girdle Toll, Irvine, KA11 1AF ("The Tenant")

Mr Jaswinder Basra, 22 Macara Drive, Irvine, KA12 0LH ("The Landlord")

24 7 Property Letting, 28 John Finnie Street, Kilmarnock, KA1 1DD ("The Landlord's Representative.")

Tribunal Members – Martin McAllister, Solicitor (Legal Member) and Donald Wooley, Chartered Surveyor (Ordinary Member)

**NOTICE TO**

Mr Jaswinder Basra

Whereas in terms of their decision dated 13<sup>th</sup> September 2021, 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 tribunal now makes a repairing standard enforcement order (RSEO) in the following terms and requires the Landlord to carry out such work as is necessary for the purposes of ensuring that the Property meets the repairing standard in terms of Section 13 of the said Act and that any damage caused by the carrying out of any work in terms of this Order is made good.

The tribunal determined to make a repairing standard enforcement order in the following terms:

**The Landlord is to repair or replace the windows in the Property, including the patio doors, to ensure that they are in efficient working order and free from draughts.**

**The Landlord requires to comply with the repairing standard order by 30<sup>th</sup> November 2021.**

**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.**

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 typewritten on this and the preceding page are executed by Martin Joseph McAllister, legal member of the First-tier Tribunal for Scotland at Saltcoats on 13<sup>th</sup> September 2021 before Peter Ashby, 21 Montgomerie Crescent, Saltcoats

M McAllister

P Ashby