

Housing and Property Chamber First-tier Tribunal for Scotland



Rent Relief Order

by the First-tier Tribunal for Scotland (Housing and Property Chamber)
(hereinafter referred to as “the tribunal”)

Under Section 26(1) of the Housing (Scotland) Act 2006 (“the Act”)

Case Reference Number: FTS/HPC/RT/22/0450

Re: Eliock Grange, Mennock, Sanquhar DG4 6LD

The Parties:-

Dumfries and Galloway Council –HMO & Landlord Registration, Municipal
Chambers, Buccleuch Street, Dumfries DG1 2AD (“the third-party applicant”)

Mr Kevin Greenwood-Jaine (“the tenant”)

The late Mr James Blackwood Greenshields, Goosehill, Sanquhar DG4 6LB
 (“the landlord”)

Tribunal Members:

Sarah O’Neill (Chairperson) and Donald Wooley (Ordinary (Surveyor) Member)

NOTICE TO The late Mr James Blackwood Greenshields (“the landlord”)

Whereas in terms of its decision dated 3 February 2023, 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 dated 22 June 2022 and varied on 5 October 2022 in relation to the house.

The tribunal determined to make a Rent Relief Order in terms of section 27 of the Act, reducing the rent payable in respect of the property by **80%**. The rent reduction will take effect 28 days after the last date on which a request may be made for permission to appeal the decision to make the Rent Relief Order under section 64 of the Act.

Rights of Appeal

1. 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.
2. 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 Rent Relief Order will be effective 28 days from the date on which the appeal is abandoned or so determined.

Signed.....
Chairperson

Date ... 3 February 2023.....