

Housing and Property Chamber First-tier Tribunal for Scotland



Repairing Standard Enforcement Order (RSEO) made under Section 24 of the Housing (Scotland) Act 2006

Chamber Ref: FTS/HPC/RP/22/1119

Property: 59/3 Viewforth, Edinburgh EH10 4LQ ("the Property/house")

Title No: MID67416

The Parties:-

Ms Kristina Tamane, 59/3 Viewforth, Edinburgh EH10 4LQ ("the Tenant")

Ms Lucy Graham, c/o Zone Letting Limited (Edinburgh), 30 St Stephen Street, Edinburgh EH3 5AL ("the Landlord")

Tribunal Members:

George Clark (Legal Member/Chairman) and Andrew Taylor (Ordinary/surveyor Member)

Whereas in terms of their Decision dated 8 August 2022, 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 Act"), the Tribunal now requires the Landlord to carry out such work as is necessary for the purposes of ensuring that the house concerned meets the repairing standard and that any damage caused by the carrying out of any work in terms of this Order is made good.

In particular, the Tribunal requires the Landlord to engage suitably competent contractors to carry out such repair or replacement work as is necessary to ensure all the windows in the Property are wind and water tight, are capable of being opened and closed safely for ventilation, cleaning and possible fire escape, and meet the Repairing Standard.

The Tribunal orders that the works required by this Order must be carried out within two months of the date of service of this Order on the Landlord.

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.

IN WITNESS WHEREOF these presents, typewritten on this and the preceding page, are subscribed by George Barrie Clark, Legal member/Chair of the Tribunal at Lasswade on 8 August 2022 before this witness, Valerie Elizabeth Jane Clark, Droman House, Lasswade, Midlothian.

Legal Member/Chair

. Witness