

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

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**Repairing Standard Enforcement Order (RSEO): Housing (Scotland) Act 2006 Section 24**

**Reference Number: FTS/HPC/RP/17/0330**

**RE: Property at 5 Appin Place, Edinburgh EH14 1PW**

**(hereinafter referred to as “the Property”).**

**Title Number: MID90943 in the Land Register of Scotland**

**The Parties:-**

**Majda Al-Kharusi, 5 Appin Place, Edinburgh EH14 1PW**

**(“the Tenant”)**

**And**

**Mark Gordon Meldrum, 12 Home Street, Edinburgh EH3 9LY**

**(“the Landlord”)**

**NOTICE TO**

**Mark Gordon Meldrum, 12 Home Street, Edinburgh EH3 9LY**

**(“the Landlord”)**

**Whereas in terms of their decision dated 12<sup>th</sup> December 2017, the First-tier 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”) and, in particular, that the Landlord has failed to ensure that the Property is wind and water tight and in all other respects reasonably fit for human habitation, the structure and exterior of the Property are in a reasonable state of repair and in proper working order and that the fixtures, fittings and appliances provided by the Landlord under the tenancy are in a reasonable state of repair and in proper working order.**

The First-tier Tribunal now requires the Landlord to carry out such work as is necessary for the purposes of ensuring that the Property meets the repairing standard under section 13(1) of the Act and that any damage caused by carrying out of any work required under this Order are made good.

In particular, the First-tier Tribunal requires the Landlord:-

- 1) To instruct an Electrical Installation Condition Report on the Property by an appropriately qualified electrician being a member of NICEIC, SELECT or NAPIT. To carry out all works identified as either category C1 or C2 in the said Electrical Installation Condition Report in order to ensure that the Property's electrical installations are in a reasonable state of repair and in proper working order. The Electrical Installation Condition Report and all invoices for work carried out to be sent to the office of the First-tier Tribunal: Housing and Property Chamber.
- 2) To repair or replace the affected area of the ceiling in the master bedroom of the Property to ensure that the said ceiling is in a reasonable state of repair and in proper working order.
- 3) To repair the opening to the outlet to the run-off drainage from the upstairs apartment's balcony and in particular to seal the said opening on the exterior wall of the Property to ensure that the Property is wind and water tight and in all other respects reasonably fit for human habitation

The First-tier Tribunal order that works specified in this Order must be carried out and completed within the period of two months from the date of service of this Order.

A landlord, tenant or third-party applicant aggrieved by the decision of the tribunal may seek permission to appeal from the First-tier Tribunal on a point of law only within 30 days of the date of 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 Repairing Standard Enforcement Order (RSEO) commits an offence liable on summary conviction to a fine not exceeding level 3 on the standard scale. A landlord (including any successor in title) also commits an offence if he or she or they enter into a tenancy or occupancy arrangement in relation to a house at any time during which a RSEO has effect in relation to a house. This is in terms of Section 28(5) of the Act.

IN WITNESS HEREOF, these presents typewritten on this page and the preceding page are executed by Rory A. B. Cowan, Legal Member of the First-tier Tribunal: Housing and Property Chamber at Glasgow on 12<sup>th</sup> December 2017 before this witness:

Signed

R. A. B. Cowan

Date: 15<sup>th</sup> December 2017

Rory A. B. Cowan

R. S. Taylor

..... Witness

Date: 15<sup>th</sup> December 2017

ROBERTS TAYLOR..... Name of Witness

16 ROYAL HORTONIAN SQUARE

GLASGOW G13AG..... Address of Witness