

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

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**Chamber Ref: FTS/HPC/RP/23/0653**

**THE PROPERTY:**

**37 Tiree Place, Hallglen, Falkirk FK1 2PP**

**Title Number: STG64408**

**THE PARTIES:**

**Ms Rehana Afreen & Mr Youssouf Keita, residing at the property. (“the tenants”)**

**and**

**Ms Shehnaz Ijaz, residing at 4, Achray Drive, Falkirk, Fk1 5UN (“the landlord”)**

**Whereas in terms of its decision dated 1 June 2023, 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 requires the landlord to carry out such work as is necessary for the purposes of ensuring that the property 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:

- 1. To restore the kitchen fan above the cooker to a reasonable state of repair and proper working order. If this cannot be achieved, it should be replaced.**
- 2. To have an investigation of areas where damp or damaged plaster is noted to ceilings in the floor apartments carried out, and work carried out to render wind and watertight as required. Thereafter damaged areas of plasterwork should be dried out, patched, repaired and redecorated.**
- 3. To have a suitably qualified electrician test the electric circuits serving socket outlets to establish their condition and highlight any action required to ensure they are free from defect. Confirmation of such works to be provided to the tribunal. To**

replace the missing retaining ring from the bulb holder to the light in the lower hallway.

4. To have the gutters and downpipes to the front of the property examined by a suitably qualified tradesman to ensure that they are running clear, collecting rainwater and conducting it to the underground drainage system. To provide confirmation that the system is operating correctly to the tribunal.
5. To replace the cracked sealed double glazed unit in the kitchen. To overhaul other windows to ensure that all seals are in place and functioning properly to eliminate draughts along with ironmongery being operational. To provide controllable trickle ventilation. The tribunal would observe that it may be found more practicable to replace the windows.
6. To adjust the air brick which has a gas pipe passing through it to ensure that there are no holes larger than the ventilation holes forming part of the brick.
7. To instruct the pest control contractor to prepare a further report for submission to the tribunal for any further instruction which may be required.

The tribunal order that the works specified in this Order must be carried out and completed within the period of EIGHT WEEKS from the date of service of this Notice.

**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.**

**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: IN WITNESS WHEREOF these presents, typewritten on this and the preceding two pages are subscribed as follows:

D. Preston

	Chairing Member <i>[Signature]</i>	Witness signature
<u>OBAN.</u>	Place of signing <u>WILLIAM GORDON SENTON</u>	Witness full name
<u>6/5/2023</u>	Date of signing	Witness Address
	_____	
	_____	
	_____	
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