

Housing and Property Chamber First-tier Tribunal for Scotland



REPAIRING STANDARD ENFORCEMENT ORDER

Chamber Reference number: FTC/HPC/RP/19/1093

Russell Skingsley and Mrs. Emma Skingsley c/o Countrywide Lettings, 71, Candleriggs, Glasgow, G1 1NP ("the Landlords")

Property: Flat 10/1, 1, Templeton Court, Glasgow, G40 1EF being the subjects registered in the Land Register for Scotland under Title Number GLA190923("the Property")

Tribunal Members

Karen Moore (Chairperson)

Donald Wooley (Ordinary Member)

Notice to Landlords

Russell Skingsley and Mrs. Emma Skingsley c/o Countrywide Lettings, 71, Candleriggs, Glasgow, G1 1NP

Whereas in terms of its decision dated 5 July 2019, the First-tier Tribunal for Scotland determined that the Landlords had failed to comply with the duty imposed by Section 14 (1)(b) of the Housing (Scotland) Act 2006 and, in particular, that the Landlords have failed to comply in respect of Section 13(1) (c) of the Act and have failed to ensure that the Property that the installations in the Property for the supply of electricity is in a reasonable state of repair and in proper working order, the First-tier Tribunal now requires the Landlords to carry out the following works or other such works as are necessary for the purposes of ensuring that the Property meets the Repairing Standard and that any damage caused by carrying out of the works in terms of the Order is made good.

The Landlords must on or before **30 November 2019**:-

1. Instruct a suitably qualified heating engineer to repair, replace or renew the central heating and hot water supply installation including boiler, underfloor pipes and

cables, valves, programmers and thermostats to ensure that the entire system is fully functioning, safe and in proper working order and

2. Make good all décor damaged as a result of these works.

Note to Landlords:-

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.

Further, in terms of Section 28(1) of the Housing (Scotland) Act 2006, a landlord who, without reasonable excuse, fails to comply with a Repairing Standard Enforcement Order commits an offence liable on summary conviction to a fine not exceeding Level 3 of the standard scale, and in terms of Section 28(5) of that Act, also commits an offence if he or she enters into a tenancy or occupancy agreement in relation to a house at any time during which a Repairing Standard Enforcement Order has effect in relation to the house.

In Witness Whereof these presents printed on this and the preceding page are subscribed by Karen Moore, Chairperson of the tribunal, at Glasgow on 5 July 2019 before this witness, Norman William Moore, solicitor, 11, Muirfield Business Centre, South Muirhead Road, Cumbernauld, G67 1AX

N W Moore

Witness

K Moore