

Housing and Property Chamber

First-tier Tribunal for Scotland



REPAIRING STANDARD ENFORCEMENT ORDER

Chamber Reference number: FTC/HPC/RT/23/0979

Parties:

1. Renfrewshire Council per its employee Ms. Bernadette Kettle, Environment, Housing and Infrastructure, Renfrewshire House, Cotton Street, Paisley, PA1 1JD as third-party applicant in terms of Section 22(1A) of the Act ("the Third -party Applicant");
2. Mr. Brian Millisom residing at Flat 0/1, 13, Wilson Street, Renfrew, PA4 8NP ("the Tenant")
3. Mr. Yoon Fat Siow, residing formerly at 40, Bowhill View, Cardenden, Lochgelly, KY5 0NP and now at Flat 2/3, 13, Wilson Street, Renfrew, PA4 8NP ("the Landlord") per his agents, Mackinlay & Suttie, Solicitors, 48, Cross Arthurlie Street, Barrhead, G78 1QU ("the Landlord's Agents")

Property: Flat 0/1, 13, Wilson Street, Renfrew, PA4 8NP being the subjects registered under title sheet number REN8655

Notice to Landlord

Mr. Yoon Fat Siow, residing formerly at 40, Bowhill View, Cardenden, Lochgelly, KY5 0NP and now at Flat 2/3, 13, Wilson Street, Renfrew, PA4 8NP

Whereas in terms of its decision dated 22 June 2023, the First-tier Tribunal for Scotland determined that the Landlord had failed to comply with the duty imposed by Section 14 (1)(b) of the Housing (Scotland) Act 2006 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 Landlord must on or before **31 December 2023** carry out all of the following:-

1. Repair or renew the entry door to the Property ensuring that it is in a reasonable state of repair and in proper working order;
2. Repair or renew the front window ensuring that it is in a reasonable state of repair, wind and water tight and in proper working order;

3. Provide to the Tenant, the Third Party Applicant and the Tribunal a current Electrical Installation Condition Report (EICR) for the Property. The EICR requires to be prepared by an electrician registered with SELECT, NICEIC NAPIT or other accredited registered scheme who is either employed by a firm that is a member of such accredited scheme or is a self-employed member of such a scheme. The Report requires to have no recommendations in the C1 or C2 category. Additionally, the EICR should confirm that smoke detectors have been installed within the living room and hall and a heat detector has been installed in the kitchen, they are fully functional, meet the requirements contained in the Housing (Scotland) Acts 1987 and 2006, as subsequently modified in 2019, are interconnected and fully functional.

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 printed on this and the preceding pages are subscribed by Karen Moore, Chairperson of the tribunal, at Glasgow on 26 June 2023 before this witness, Norman William Moore, solicitor.