

Housing and Property Chamber

First-tier Tribunal for Scotland



The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”)
RENT RELIEF ORDER (“RRO”) in terms of Housing (Scotland) Act 2006 (“the Act”)
Section 27

Chamber Ref: FTS/HPC/RP/20/1988

Title number: ELN7306

Re: 16 Robertson Avenue, Prestonpans, EH32 9AL (“the property”)

The Parties:

Miss Elaine Winters, 16 Robertson Avenue, Prestonpans, EH32 9AL (“the tenant”)

Ms Jurgita Friis-Jorgensen, 921-k Eatrada Municipal, U 537 Faro, 8600-210, Praia Da Lagos, Portugal; 6 Caraben Brae, Dolphinton, West Linton, EH46 7HF (“the landlord”)

Represented by Stuart Miller, Northwood, 13 Comely Bank Road, Edinburgh, EH4 1DR
 (“the landlord’s representative”)

Tribunal Members: - Simone Sweeney (Legal Chair) and Sara Hesp (Ordinary member)

NOTICE TO MS JURGITA FRIIS-JORGENSEN,

921-k Eatrada Municipal, U 537 Faro, 8600-210, Praia Da Lagos, Portugal; 6 Caraben Brae, Dolphinton, West Linton, EH46 7HF (“the landlord”)

Whereas in terms of its decision dated, 19th May 2022, the Tribunal determined in terms of Section 26(1) of the Housing (Scotland) Act 2006 (“the 2006 Act”) that the landlord has failed to comply with the Repairing Standard Enforcement Order (“RSEO”) of 26th August 2021;

The Tribunal has determined to make an RRO in terms of Section 27 of the Act reducing the rent payable under the tenancy by an amount of fifty percent (50%) of the rent which would, but for the order, be payable. The rent reduction will take effect 28 days after the last

date on which the decision to make the RRO may be appealed under section 64 of the 2006 Act. To ascertain the last date on which this decision can be appealed, please refer to the information note on appeals and reviews, a copy of which is undernoted and attached.

Appeals

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.

In terms of Section 63 of the Act, 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.

If an application for permission to appeal is received, the Tribunal will notify you of this and the eventual outcome of that application and any subsequent appeal.

..... Legal member, 9th June 2022