

Housing and Property Chamber

First-tier Tribunal for Scotland



First-tier Tribunal for Scotland (Housing and Property Chamber)

RENT RELIEF ORDER under Section 27 of the Housing (Scotland) Act 2006 as amended (“the Act”)

Reference number: FTS/HPC/RP/22/1116

Re: Flat 3/2, 95 Kilmarnock Road, Shawlands, Glasgow G41 3YR as more particularly described in the Disposition in favour of BlaneField Holdings Limited dated 31 August, 2 and 7 September all in the year 1964 and recorded in the Division of the General Register of Sasines for the Barony and Regality of Glasgow on 19 November 1964 (“**Property**”)

The Parties:

Adam Murray, Flat 3/2, 95 Kilmarnock Road, Shawlands, Glasgow G41 3YR (“Tenant”)

BlaneField Holdings Limited, 9A High Street, Stewarton, Kilmarnock KA3 5BP (“Landlord”)

NOTICE TO (“the Landlord”)

Whereas in terms of its decision dated 10 February 2023, the First-tier Tribunal for Scotland (Housing and Property Chamber) (‘the Tribunal’) determined in terms of Section 26(1) of the Housing (Scotland) Act 2006 (the “said Act”) that the Landlord has failed to comply with the Repairing Standard Enforcement Order in relation to the Property made by the Tribunal.

The Tribunal determined to make a Rent Relief Order in terms of Section 27 of the said Act reducing the rent payable under the tenancy for the Property by an amount of 25% 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 Rent Relief Order may be appealed under section 64 of the said Act. To ascertain the last date on which the decision can be appealed, please refer to the information note on appeals and reviews, a copy of which is attached.

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, then the Tribunal will notify you of this and the eventual outcome of that application and any subsequent appeal.

Legal Member

Date: 10 February 2023