

# Housing and Property Chamber First-tier Tribunal for Scotland

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

**Housing (Scotland) Act 2006 section 26(1)**

**Chamber Reference: FTS/HPC/RT/21/1524**

**Title number: Subjects registered in the Land Register of Scotland under title number STG18102**

## **The Parties**

**Falkirk Council Private Sector Team, The Forum, Suite 1 Callendar Business Park, Falkirk, FK1 1XR (“the Third Party Applicant”)**

**Mr Alan Kerr, 91 High Street, Bonnybridge, Falkirk, KD4 1BY (“The Landlord”)**

**Subjects: 8L Easton Drive, Shieldhill, Falkirk, FK1 2DR (“the Property”)**

## **NOTICE TO**

**Mr Alan Kerr, 91 High Street, Bonnybridge, Falkirk, KD4 1BY**

Whereas in terms of its decision dated 11<sup>th</sup> November 2021, the Tribunal determined in terms of section 26(1) of the Housing (Scotland) Act 2006 (‘the Act’) that the Landlord has failed to comply with the Repairing Standard Enforcement Order dated 28<sup>th</sup> August 2021 in relation to the Property. The Tribunal determined to make a Rent Relief Order in terms of section 27 of the Act, reducing the rent payable in respect of the Property by 40%. The rent reduction will take effect 28 days after the last date on which a request may be made for permission to appeal the decision to make the Rent Relief Order under section 64 of the Act.

## **Right of Appeal**

**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 the order is suspended until the appeal is abandoned or finally determined, and where the appeal is

abandoned or finally determined by confirming the decision, the decisions and the order will be treated as having effect from the day on which the appeal is abandoned or so determined.

Signed:-

Helen Forbes  
Legal Member and Chairperson  
Date: 11<sup>th</sup> November 2021