

Housing and Property Chamber First-tier Tribunal for Scotland



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

Repairing Standard Enforcement Order

Housing (Scotland) Act 2006: Section 24 (2)

Chamber Ref: FTS/HPC/RP/23/0182

14 Mount Pleasant Street, Greenock, PA15 4DD registered in the Land Register of Scotland under Title Number REN34612 (“the Property”)

The Parties:-

Samuel James Wright, current address unknown (“the former Tenant” and “the Applicant”)

Sofia Wellander, BRF Arsta Park Tvaakersgrand 3, Alvsjo, 12673 Sweden (“the Landlord”)

Corbett and Shields Ltd, 1 Ratho Street, Greenock, PA15 2BU (“the letting agent”)

Tribunal Members:

Mr M [REDACTED] McAllister, Solicitor (Legal Member) and Ms L Charles, Chartered Surveyor (Ordinary Member)

NOTICE TO

Sofia Wellander

Whereas in terms of their decision dated 9 July 2023, the First-tier Tribunal for Scotland (Housing and Property Chamber) (the tribunal) determined that the Landlord has failed to comply with the duty imposed by Section 14 (1) (b) of the Housing (Scotland) Act 2006, the tribunal now makes a repairing standard enforcement order (RSEO) in the following terms and requires the Landlord to carry out such work as is necessary for the purposes of ensuring that the Property meets the repairing standard

in terms of Section 13 of the said Act and that any damage caused by the carrying out of any work in terms of this Order is made good.

The RSEO is in the following terms:

The Landlord will carry out, or arrange for others to carry out, repairs to the roof to ensure that there is no water ingress to the Property.

The Landlord is required to comply with the RSEO before 15th October 2023.

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.

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.

Please note that in terms of section 28(1) of the Act, a landlord who, without reasonable excuse, fails to comply with a RSEO commits an offence liable on summary conviction to a fine not exceeding level 3 on the standard scale. A landlord (and that includes any landlord's successor in title) also commits an offence if he or she enters into a tenancy or occupancy arrangement in relation to a house at any time during which a RSEO has effect in relation to the house. This is in terms of Section 28(5) of the Act.

In witness whereof these presents typewritten on this and the preceding page are executed by M J McAllister, legal member of the First-tier Tribunal for Scotland at Saltcoats on 9 July, 2023 before T McNair, :