

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Statement of Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber)

**Under section 25(1)
Of the Housing (Scotland) Act 2006**

RE: All and Whole the dwelling house known as 60 Halfield Gardens, Kennoway, Fife KY8 5HL registered in the Land Register under title no FFE73012 (hereinafter referred to as "the House")

The Parties:

Sky Mann, 60 Halfield Gardens, Kennoway, Fife KY8 5HL (hereinafter referred to as "the Tenant")

Elaine Margaret Parker, c/o Fife Properties, 22 North Street, Glenrothes, Fife KY7 5NA (hereinafter referred to as "the Landlord")

Chamber Ref: FTS/HPC/RP/19/1799

DECISION

The Tribunal decided to vary the Repairing Standard Enforcement Order dated 20 September 2019 ("the Order") by extending the period for compliance with the Order until 30 June 2020.

Reasons for the Decision

The Tribunal considered the submissions made on behalf of the Landlord on 9 March 2020 to the effect that the refurbishment of the Property was incomplete.

Having regard to: the Landlord's explanation, the fact that the Tenant has vacated the Property; the fact that any works and the Tribunal's ability to re-inspect have been disrupted by the COVID 19 Pandemic and the terms of section 25(1), we consider that the variation of the Order to provide a further time for compliance is reasonable.

Decision

The Tribunal, considering the terms of section 25(1) of the Act, determined that the Order should be varied by extending the period for compliance with the Order until 30 June 2020.

The decision of the Tribunal was unanimous.

Right of Appeal

A landlord, tenant or third party applicant aggrieved by the decision of the tribunal may seek permission to appeal from the First-tier Tribunal on a point of law only within 30 days of the date the decision was sent to them.

J McHugh

John M McHugh
Chairperson

Date: 11 May 2020