

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Statement of Decision: Housing (Scotland) Act 2006

Chamber Ref: FTS/HPC/RP/17/0337

Title no/Sasines Description: SS161

Property: 23 Kirkgate, Currie, Edinburgh EH14 6AP (“The house”)

Proprietor: The Earl of Rosebery (“the third party applicant”)

The Parties:-

Ms Jill Robert, 23 Kirkgate, Currie, Edinburgh EH14 6AP (“the tenant”)

Mr John Steven and Ms Carolyn Steven (“the landlords”)

Tribunal Members:

Mark Thorley (Chairman)

Robert Buchan (Ordinary Surveyor Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (‘the tribunal’) decided to vary the Repairing Standard Enforcement Order dated 9 May 2018 (‘the order’) by extending the period for compliance with the order until 12 January 2022.

Reasons for decision

The order that was granted was to undertake significant works to the property. The works have not been started. The tenant has vacated the property and the property is empty.

Prior to any works being undertaken the proprietors of the property require to agree with the landlords the extent and costings of the work. That has not taken place as yet. Discussions are ongoing.

Having regard to the landlords’ explanation and in terms of Section 25(1), the tribunal considers that the variation of the order to provide 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 12 January 2022.

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.

In witness whereof these presents type written on this and the preceding page are executed by Mark Thorley, chairperson of the Tribunal at Edinburgh on the 12th day of January 2021 before this witness:-

A Gibson witness

M Thorley

chairperson

ALISON GIBSON name in full

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