

# **Housing and Property Chamber**

## **First-tier Tribunal for Scotland**



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

**Notice of a Decision to Vary a Repairing Standard Enforcement Order: Housing (Scotland) Act 2006 section 25**

**Chamber Ref: FTS/HPC/RP/17/0369**

**Title number: Subjects registered in the Land Register of Scotland under title number INV2594**

**House address: 117 Laurel Avenue, Inverness, IV3 5RS ('the House')**

**The Parties:-**

**Mr Terry Hynes residing at 117 Laurel Avenue, Inverness, IV3 5RS ('the Tenant')**

**Ms Diana McChesney residing at 21 Main Street, Mullybritt, Lisbellaw, Enniskillen, BT94 5ER ('the Landlord')**

**Repairing Standard Enforcement Order against:**

**Ms Diana McChesney residing at 21 Main Street, Mullybritt, Lisbellaw, Enniskillen, BT94 5ER ('the Landlord')**

The Tribunal having determined on 23<sup>rd</sup> April 2018 that the Repairing Standard Enforcement Order relative to the House dated 26<sup>th</sup> January 2018 should be varied, the Tribunal hereby varies the Repairing Standard Enforcement Order to (1) remove the requirement for the Landlord to carry out the work detailed at point 13 of the Order; and (2) to extend the period allowed for the completion of the works required by the Repairing Standard Enforcement Order to a period of six weeks from the date of receipt of this varied Order.

Subsection 25(3) of the Housing (Scotland) Act 2006 applies in this case.

### **Rights 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 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.

In witness whereof these presents typewritten on this and the preceding page are executed by Helen Forbes, solicitor, chairperson of the Tribunal at Inverness on Twenty-sixth April before this witness:-

**M Forbes**

\_\_\_\_witness

**H Forbes**

\_\_\_\_chairperson

Mrs M Forbes, 67B Glenurquhart Road, Inverness, IV3 5PB