

# **Housing and Property Chamber**

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

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

**Variation of Repairing Standard Enforcement Order ("RSEO") under section 25(1) of the Housing (Scotland) Act 2006 ("the 2006 Act")**

**Chamber Ref: PRHP/RP/16/0343**

**Subjects at 2 South West Street, Buckie, Moray, AB56 1BR under Title Number BNF2301 ("the Property")**

**The Parties:-**

**Mr John Rumbles, formerly residing at 2 South West Street, Buckie, Moray, AB56 1BR ("the former Tenant")**

**and**

**Fiona Watt, residing at Arradoul House, Arradoul, Buckie, AB56 5BB ("the Landlord")**

**The Tribunal comprised:-**

<b>Mrs Ruth O'Hare</b>	<b>-</b>	<b>Legal Member</b>
<b>Mr Angus Anderson</b>	<b>-</b>	<b>Ordinary Member</b>

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") having determined on 3 February 2018 that the RSEO relative to the Property dated 3 March 2017 should be varied, the said RSEO is hereby varied with effect from the date of service of this Notice in the following respects:-

**The period allowed for the completion of the work required by the order is extended by a further 6 months from the date of service of this notice.**

Subsection 25(3) of the Housing (Scotland) Act 2006 as amended does not apply in this case.

**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 type written on this and the preceding page(s) are executed by Ruth O'Hare, Chairperson, 2 Mill O'Forest Grove, Stonehaven, chairperson of the Tribunal at Aberdeen on 3 February 2018 before this witness:-

**R O'Hare**

\_\_\_\_\_ witness

\_\_\_\_\_ chairperson

Rhoda Banfro, c/o Aberdeenshire Council  
Woodhill House, Westburn Rd, Aberdeen