

# Housing and Property Chamber First-tier Tribunal for Scotland



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

### Variation of Repairing Standard Enforcement Order (“RSEO”): Housing (Scotland) Act 2006 Section 25

**Chamber Ref:** FTS/HPC/RP/19/0332

Property: flat on the northwest side of the common close, Flat 0/2, 218 Allison Street, Glasgow, G42 8RS, being the subjects registered in the Land Register of Scotland under Title number: GLA45013 (“The Property”)

The Parties:-

Ms Alina Munteanu, residing at Flat 0/2, 218 Allison Street, Glasgow, G42 8RS (“the Tenant”)

and

Mrs Robina Rasul, residing at 54 Kilchattan Drive, Kings Park, Glasgow, G44 4PY (“the Landlord”)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) have determined on 1 August 2019 that the RSEO dated 12 April 2019 relative to the Property and served on 24 April 2019 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 for a further 4 weeks from the date 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.**

In terms of Section 63 of the Act, 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 type written on this and the preceding page are executed by Andrew Cowan, legal member of the Tribunal, at Glasgow on the 1 August 2019 in the presence of the undernoted witness:-

A Cowan

J Glasgow

\_\_\_\_\_ witness \_\_\_\_\_ Legal Member

JENNIFER GLASGOW name in full

1 WEST GEORGE STREET Address

GLASGOW

GRIBA.

# Housing and Property Chamber First-tier Tribunal for Scotland



## NOTICE OF DECISION TO VARY

### Repairing Standard Enforcement Order

#### Ordered by the Private Rented Housing Committee

Reference Number: FTS/HPC/RP/19/0332

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The Parties:-

Ms Alina Munteanu, residing at Flat 0/2, 218 Allison Street, Glasgow, G42 8RS ("the Tenant")

and

Mrs Robina Rasul, residing at 54 Kilchattan Drive, Kings Park, Glasgow, G44 4PY ("the Landlord")

**NOTICE TO ROBINA RASUL, residing at 54 Kilchattan Drive, Kings Park, Glasgow, G44 4PY**

The Tribunal issued a Repairing Standard Enforcement Order (RSEO) dated 12 April 2019 in respect of the Property.

The RSEO required the Landlord to carry out such works as are necessary to:-

- (a) Carry out such works as are necessary to ensure that the kitchen sink is in a reasonable state of repair and proper working order;
- (b) Carry out such works as are necessary to ensure that the washing machine within the Property is in a reasonable state of repair and proper working order.

The RSEO further required to specify that the works required were to be carried out within a period of 4 weeks from the date of service of the RSEO.

By email dated 11 July 2019 the Landlord requested that the Tribunal vary the RSEO to allow the Landlord additional time to complete the works necessary to comply with the RSEO. The Landlord lives abroad and was having difficulty in identifying contractors who could carry out necessary works to complete repairs at the Property.

A copy of the Landlord's email of 11 July 2019 was exhibited to the Tenant and the Tenant's representative. The Tenant was asked to comment upon the terms of said email. By email dated 22 July 2019 from Govan Law Centre, acting on behalf of the Tenant, confirmed that they agreed to the Landlord's request to vary the RSEO by giving the Landlord further time to complete the necessary works to comply with the RSEO.

In all the circumstances the Tribunal are satisfied that some progress has been made by the Landlord towards the completion of the works. In the circumstances the Tribunal agree to vary the terms of the RSEO by allowing the Landlord a further period of 4 weeks from the date hereof to complete the necessary works.

The Tribunal have accordingly determined to vary the RSEO in terms of Section 25 (1) of the Housing Scotland Act 2006 and hereby issue a formal notice of the Decision to vary the RSEO in respect of the Property.

J Glasgow

\_\_\_\_\_  
Witness  
A Cowan

1 August 2019  
Date

JENNIFER GLASGOW  
Name in full

\_\_\_\_\_  
Legal Member

1 WEST GEORGE STREET  
Address

GLASGOW

G2 1BA