

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/19/1472

Title no/Sasines Description: PH38511

Property at Flat 1/2, 137 Clepington Road, Dundee DD3 7PA (“The House”)

The Parties:-

Dundee City Council Private Sector Services Unit, Dundee City Council, 5 City Square, Dundee DD1 3BA (“the Third Party Applicant”)

Mr Abu Baker Meah, Flat 1/2, 137 Clepington Road, Dundee DD3 7PA (“the Tenant”)

Mr Christian Hoyer Miller, Mr James Inchyra and Mrs Caroline Inchyra, Inchyra House, Glencarse, Perth PH2 7LU (“the Landlord”)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (‘the tribunal’) having determined on 25th November 2019 that the **RSEO** relative to the House served on 28th November 2019 should be varied, the said **RSEO is hereby varied** with effect from the date of service of this Notice in the following respects:-

1. The period allowed for the completion of the 1 month.
2. The steps which the Tribunal require the landlord to take in complying with the order are amended as follows :-
 - a. To replace or repair and make good the window in the front bedroom of the Property to ensure that it is wind and watertight and in proper working order.

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 Gabrielle Miller legal member of the Tribunal, at Dundee on the 11th Day of March 2020 in the presence of the undernoted witness:-

M Iley

G Miller

_____ witness _____

Legal Member

MARK ILEY name in full

CALEDONIAN HOUSE Address

GREENMARKET

DUNDEE