



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

Chamber Ref: FTS/HPC/RP/19/1766

Variation of Repairing Standard Enforcement Order

Housing (Scotland) Act 2006 Section 25

The Property:

Flat B/2, 45 Bentinck Street, Glasgow, G3 7TS (“the Property”)

The Parties:

Ms Penelope Herman-Smith, residing at the Property (“the Tenant”); and

Mr Solomen Mingle and Mrs Naomi Mingle, beneficiaries in the Estate of Wordsworth Mingle, residing at 16 Keats Close, Newport Pagnall, Buckinghamshire, MK16 8DW (“the Landlords”)

Tribunal Members:

G McWilliams (Legal Member)

K Bruce (Ordinary Member)

The Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) having considered the terms of the Re-inspection Report dated 17th December 2019, decided on 10th January 2020 that the Repairing Standard Enforcement Order (“RSEO”) relative to the Property, dated 23rd August 2019, should be varied. Accordingly, the said RSEO is hereby varied with effect from the date of service of this Notice in the following respect:-

1. The Landlords have also to alter the light switch in the WC apartment at the Property to ensure that it is activated via a cord pull, failing which they are to relocate the light switch outside the WC apartment, within a period of forty two (42) days from the date of service of this Decision Notice upon the parties. The Tribunal consider that this is a safety issue which requires to be attended to as soon as possible.

all in terms of Section 13(1)c of the Housing (Scotland) Act 2006.

Appeal

A Landlord, Tenant or Third Party Applicant aggrieved by this Decision of the Tribunal may appeal to the Upper Tribunal for Scotland (“the Upper Tribunal”) 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 Tribunal. That Party must seek permission to appeal within 30 days of the date this Decision Notice 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 Gerald McWilliams, Legal Member of the Tribunal, at Glasgow on 10th January 2020 before this witness:-
A Thomson
G McWilliams

_____ Witness

_____ Gerald McWilliams
Legal Member

ABIGAIL THOMSON Name in full

GLASGOW TRIBUNALS Address

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