

Housing and Property Chamber First-tier Tribunal for Scotland



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

Variation of RSEO: Housing (Scotland) Act 2006 Section 25

Chamber Ref: PRHP/RP/17/0376

Title no: STG28372

Re: 16 Abbey Mill, Stirling FK8 1QS

("The House")

The Parties:-

Adeline Kinsella, 16 Abbey Mill, Stirling FK8 1QS

("the Tenant")

Helen Boyd Mack, Saudi Archirodon Limited, PO Box 2987, Jeddah 21461, Saudi Arabia

("the Landlord")

The First-tier tribunal for Scotland (Housing and Property Chamber) ('the tribunal') having determined on 3 August 2018 that the **Repairing Standard Enforcement Order** relative to the House served on 3 January 2018 should be varied, the said **Repairing Standard Enforcement Order 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 work required by the order is extended until 31 May 2019.

Subsection 25(3) of the Housing (Scotland) Act 2006 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.

IN WITNESS WHEREOF: these presents type written on this and the preceding page are executed by Rory A. B. Cowan solicitor, 16 Royal Exchange Square, Glasgow G1 3AG. chairperson of the tribunal at Glasgow on 29 April 2019 before this witness:-
D Grant

Rory Cowan

_____ witness
D Grant _____ name in full

_____ chairperson

16 ROYAL EXCHANGE SQUARE Address

GLASGOW

G1 3AG

Housing and Property Chamber

First-tier Tribunal for Scotland



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

**Statement of Reasons for Variation of Repairing Standard Enforcement Order:
Housing (Scotland) Act 2006 Section 25**

Chamber Ref: PRHP/RP/17/0376

Title no: STG28372

Property at 16 Abbey Mill, Stirling FK8 1QS

("The House")

The Parties:-

**Adeline Kinsella, 16 Abbey Mill, Stirling FK8 1QS
("the Tenant")**

**Helen Boyd Mack, Saudi Archirodon Limited, PO Box 2987, Jeddah 21461, Saudi
Arabia**

("the Landlord")

The First-tier Tribunal for Scotland (Housing and Property Chamber) ('the tribunal') having considered the Landlord's application dated 18 July 2018 to vary the Repairing Standard Enforcement Order (RSEO) relative to the House served on 3 January 2018 determines that the RSEO should be varied to allow the Landlord until **31 May 2019** to complete the works required by the order for the following reasons:

- The House was re-inspected on 5 February 2019.
- At re-inspection it was apparent that further works as requested by the specialist Building Surveyor who is a member of and registered with the Royal Institution of Chartered Surveyors and who has inspected the House had been carried out via the Property Factors.
- However, upon reinspection it was noted that there was still some staining to the ceiling of the office within the House as well as the ceiling of the built-in cupboard in Bedroom 2 of the House.
- In terms of section 14(2) of the Housing (Scotland) Act 2006, the Landlord has a requirement to ensure that any damage to the House is made good. That

would include repainting the ceiling in the office and the built-in wardrobe in Bedroom 2.

- Thereafter, the House can be re-inspected and completion considered.
- The RSEO remains in place meantime.

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.

R Cowan

Signed, Date.....29 April 2019.....

Chairperson