

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Notice of a Decision to Vary a Repairing Standard Enforcement Order: Housing (Scotland) Act 2006 section 25

Chamber Reference FTS/HPC/RT/18/0382

Title number: Subjects registered in the Land Register of Scotland under title number LAN139572

House address: 44 Bartonhall Road, Waterloo, Wishaw, ML2 8EP ('the House')

The Parties

North Lanarkshire Council, Regulatory Services & Waste Solutions, Municipal Buildings, Kildonan Street, Coatbridge, ML5 3LF ('the Third Party Applicant')

Ms Christine James, 8 Rosshall Place, Renfrew, PA4 0BA, represented by Mr John Sparks ('the Landlord')

Ms Amanda Forrest residing at 44 Bartonhall Road, Waterloo, Wishaw, ML2 8EP ('the Tenant')

The Tribunal having determined on 6th August 2018 that the Repairing Standard Enforcement Order ('RSEO') relative to the House and dated 6th July 2018 should be varied, hereby varies the RSEO to extend the period allowed for the completion of the works required by the RSEO to a period of four weeks from the date of receipt of this varied RSEO.

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

Rights of Appeal

In terms of section 46 of the Tribunals (Scotland) Act 2014, a party 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 typewritten on this and the preceding page are executed by Helen Forbes, solicitor, chairperson of the Tribunal at Inverness on 6th August, Two Thousand and Eighteen before this witness:-

M Forbes

H Forbes

_____ witness

 chairperson

Margaret Forbes, 67B Glenurquhart Road, Inverness, IV3 5PB