

Housing and Property Chamber First-tier Tribunal for Scotland



VARIATION OF REPAIRING STANDARD ENFORCEMENT ORDER

Chamber Reference number: FTC/HPC/RP/19/0913

Parties:

Mr. Peter Chinskie Durnion, residing at 14, Lauranne Place, Bellshill, ML4 3HX ("the Landlord")

Property: 231B, Main Street, Bellshill ML4 1AJ being the subjects registered in the Land Register for Scotland under Title Number LAN53079 ("the Property")

Tribunal Members

Karen Moore (Chairperson)

Andrew Murray (Ordinary Member)

Notice to Landlord

Peter Chinskie Durnion, residing at residing at 14, Lauranne Place, Bellshill, ML4 3HX.

Whereas in terms of its decision dated 25 February 2020, the First-tier Tribunal for Scotland determined that the Repairing Standard Enforcement Order made by it on 17 May 2019 and varied on 19 June 2019 and 27 November 2019 be varied further, now varies the said Repairing Standard Enforcement Order as follows:-

The time limit for completion of the works required by the said Repairing Standard Enforcement Order is extended to **31 March 2020**.

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.

Further, in terms of Section 28(1) of the Housing (Scotland) Act 2006, a landlord who, without reasonable excuse, fails to comply with a Repairing Standard Enforcement Order commits an offence liable on summary conviction to a fine not exceeding Level 3 of the standard scale, and in terms of Section 28(5) of that Act, also commits an offence if he or she enters into a tenancy or occupancy agreement in relation to a house at any time during which a Repairing Standard Enforcement Order has effect in relation to the house.

In Witness Whereof these presents printed on this and the preceding page are subscribed by Karen Moore, Chairperson of the tribunal, at Glasgow on 25 February 2020 before this witness, Norman William Moore, solicitor, 11, Muirfield Business Centre, South Muirhead Road, Cumbernauld, G67 1AX

N Moore

Witness

K Moore