

Housing and Property Chamber
First-tier Tribunal for Scotland



Repairing Standard Enforcement Order (RSEO): Housing (Scotland) Act 2006 Section 24

Reference Number: FTS/HPC/RT/21/1345

RE: Property known as at 8 Abbotsford Drive, Laurieston, Falkirk FK2 9LN

Title Number: STG13408

(hereinafter referred to as “the Property”).

The Parties:-

**Falkirk Council, Private Sector Team, Suite 1, The Forum, Callendar Business Park, Falkirk
FK1 1XR**

(“the Third-Party”)

And

**Christopher Malone, 4 Abbotsford Drive, Laurieston, Falkirk FK2 9LN
 (“the Landlord”)**

NOTICE TO

Christopher Malone, 4 Abbotsford Drive, Laurieston, Falkirk FK2 9LN

Whereas in terms of their decision dated 19 August 2021, the First-tier Tribunal determined that the Landlord has failed to comply with the duty imposed by Section 14(1)(b) of the Housing (Scotland) Act 2006 (“the Act”) and, in particular, that the Landlord has failed to ensure that the installations in the Property for the supply of electricity are in a reasonable state of repair and in proper working order.

The First-tier Tribunal now requires the Landlord to carry out such work as is necessary for the purposes of ensuring that the Property meets the repairing standard under section 13(1) of the Act and that any damage caused by carrying out of any work required under this Order is made good.

In particular, the First-tier Tribunal requires the Landlord:-

- 1) To instruct an Electrical Installation Condition Report on the Property to include the testing of any portable appliances supplied by the Landlord by an appropriately qualified electrician being a member of NICEIC, SELECT or NAPIT. To carry out all works identified as either category C1 or C2 in the said Electrical Installation Condition Report in order to ensure that the Property's electrical installations are in a reasonable state of repair and in proper working order. The Electrical Installation Condition Report and all invoices for work carried out to be sent to the office of the First-tier Tribunal: Housing and Property Chamber.

The First-tier Tribunal order that works specified in this Order must be carried out and completed within the period of 30 days from the date of service of this Order.

A landlord, tenant or third-party applicant aggrieved by the decision of the tribunal may seek permission to appeal from the First-tier Tribunal on a point of law only within 30 days of the date of 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 Repairing Standard Enforcement Order (RSEO) commits an offence liable on summary conviction to a fine not exceeding level 3 on the standard scale. A landlord (including any successor in title) also commits an offence if he or she or they enter into a tenancy or occupancy arrangement in relation to a house at any time during which a RSEO has effect in relation to a house. This is in terms of Section 28(5) of the Act.

IN WITNESS HEREOF, these presents typewritten on this page and the preceding page are executed by Rory A. B. Cowan, Legal Member of the First-tier Tribunal: Housing and Property Chamber at Glasgow on 19 August 2021 before this witness:

Signed

R Cowan

Date: 19 August 2021