



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Rule 26 of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017.

Chamber Ref: FTS/HPC/EV/19/1158

Re: G01 24 Springvale Street, Saltcoats, KA21 5LP ("the Property")

Parties:

Mrs Anne Elizabeth McCauley ("the Applicant")

Ayrshire Letting and Sales ('the Applicant's Representative')

Andrew Cambridge ("the Respondent")

Tribunal Member: Jacqui Taylor (Legal Member)

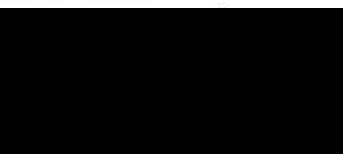
The Tribunal rejects the application by the applicant dated 15th April 2019 under Tribunal Rule 109 being an application for eviction/possession.

The Tribunal sent the applicant a letter dated 1st May 2019 which requested further information to enable the application to be processed. In particular the Tribunal requested that the applicant provide a full copy of page 3 of the Notice to Leave. The applicant provided the Tribunal with the required copy which states that an application will not be submitted to the Tribunal for an eviction before 6th July 2019.

The application has been raised prematurely as the Notice to Leave intimates to the Tenant that an application will not be submitted to the Tribunal for an eviction Order before 6th July 2019 but the application was made to the Tribunal on 15th April 2019.

Accordingly the Tribunal have good reason to believe that it would not be appropriate to accept the application and reject the application in terms of rule 8 (1)(c) of the Tribunal Rules.

In terms of Section 46 of the Tribunal (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

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.....Legal Member

Date: 20th May 2019