



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.

Case reference FTS/HPC/RE/24/4952

Parties

Edgar Residential Property Ltd (Applicant)

Mr Mark Agnew (Respondent)

Waddell & Mackintosh Solicitors (Applicant's Representative)

13C Harbour Road, Troon, KA10 6DE (House)

Tribunal Member: Jacqui Taylor (Legal Member)

The Tribunal rejects the application by the Applicant's Representative under section 28 of the Housing (Scotland) Act 2006 requesting the Tribunal to consider offering assistance in exercising the Landlord's right of entry to the Property dated 28th October 2024.

The Tribunal administration sent the Applicant's Representative an email dated 22nd November 2024 in the following terms:

'Your application has been reviewed by a legal member of the First-tier Tribunal with delegated powers of the Chamber President. The tenancy agreement which you have enclosed shows that there are joint tenants. Your application form does not name one of the joint tenants (Margarita Vasilou). Can you please confirm that you wish to amend the application form to add the missing joint tenant. The tenancy agreement also shows the landlord to be Shirley Edgar. The application is in the name of Edgar Residential Property Ltd. Please explain this discrepancy. Your application also fails to disclose the identities of those persons seeking to gain entry to the property. Please provide those details. The track and trace search result enclosed for recorded delivery (proof of notification) shows Royal Mail have attempted to deliver the letter but have not been successful. Please provide evidence that the tenants were aware of the proposed date required for access. Upon receipt of the above information, a final decision can then be taken on whether the application is valid and whether it should be accepted and referred to the tribunal for full determination. Please respond to this letter 6 December 2024. If you fail to respond to this letter then the tribunal may reject your application. You should be aware that the Tribunal has the power to reject applications on grounds set out in

rule 8 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017.'

A reminder email was sent to the Applicant's Representative dated 11th December 2024.

No response was received and the required documents were not provided.

As no response has been received to the said emails dated 22nd November 2024 and 11th December 2024 the Tribunal believe that the dispute has been resolved and reject the application in terms of rule 8(10(b) of the Tribunal Rules.

Jacqui Taylor

.....Legal Member Date: 29th January 2025