

**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 16 of the Housing (Scotland)
Act 2014**

Chamber Ref: FTS/HPC/CV/25/0357

Re: Property at 3B Fleming Gardens, Dundee, DD3 7NE (“the Property”)

Parties:

Mrs Lorraine Bennett, 29 Bruce Road, Dundee, DD3 8LJ (“the Applicant”)

**Miss Elizabeth George, 3B Fleming Gardens, Dundee, DD3 7NE (“the
Respondent”)**

Tribunal Members:

Melanie Barbour (Legal Member) and Mary Lyden (Ordinary Member)

Decision

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that the application would be dismissed.**

Background

1. An application was made to the First Tier Tribunal for Scotland (Housing and Property Chamber) under Rule 70 of the First Tier Tribunal for Scotland (Housing and Property Chamber) (Procedure) Regulations 2017 (“the 2017 Rules”) seeking an order for payment.
2. The application proceeded to a case management discussion on 30 June 2025. Both the applicant’s agent and the respondent appeared. The applicant’s agent confirmed that the rent arrears had been repaid and there were no rent arrears outstanding.

3. The applicant's agent advised that he was therefore no longer seeking any order for payment.
4. In terms of Rule 27 (1) of the Tribunal Rules 2017, the tribunal must dismiss the proceedings if it does not have jurisdiction to deal with them. As no order is now sought, the tribunal no longer has any jurisdiction to deal with this application, and therefore, the application shall be dismissed.

Decision

5. Application dismissed.

Right of Appeal

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.

M.Barbour

Legal Member/Chair

Date 30th June 2025