



**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 (“the Tribunal Rules”)**

**71 Windmill Street, Peterhead, AB42 1UE (“the Property”)**

**Case Reference: FTS/HPC/RP/25/3919**

**Sabrina Cioffi (“the Applicant”)**

1. The Applicant applied to the Tribunal in terms of Section 22 (1) of the Housing (Scotland) Act. The application is dated 11 September 2025.
2. The Applicant stated that she had been a tenant from September 2023 to September 2025.

**The Law:**

Section 22 (1) of the Housing (Scotland) Act 2006 states that:

“A tenant may apply to the First –tier Tribunal for determination of whether the landlord has failed to comply with the duty imposed by section 14 (1) (b).” The duty imposed by section 14 is for a landlord to ensure that the house meets the repairing standard at all times during the tenancy.

3. The Applicant was asked on 24 October 2025 to provide confirmation that the tenancy was in existence at the time the application was submitted. No response was received and none was received to a further communication sent to the Applicant on 17 November 2025.
4. The statutory provision is clear. An application requires to be submitted by a tenant not a former tenant.
5. The Applicant had not confirmed that she was a tenant at the date of the application.
6. The Applicant has not provided information, having been asked to do so by the Tribunal.
7. Accordingly, the Tribunal has good reason to believe that it would not be appropriate to accept the application and rejects 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**

# M McAllister

Martin J. McAllister, Legal Member, 8 January 2026