



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/PF/25/4390

Parties

Mr John Jackson (Applicant)

Border Fence, 3A Brown Street, Renfrew, PA4 8HW (Property)

Tribunal Member: Jacqui Taylor (Legal Member)

1. Background.

1.1 The Applicant made an application under section 17(1) of the Property Factors (Scotland) Act 2011 dated 7th October 2025.

1.2 The Tribunal sent the Applicant an email dated 21st April 2026 which requested further information to enable the application to be processed. The email was in the following terms:

'Your application has been further reviewed by a legal member of the First-tier Tribunal with delegated powers of the Chamber President. Your email of 23 February has been received and considered. You attached to that email a copy of a letter you have received from the factors dated 1 October 2025 which appears to respond to your complaint. In that letter the property factors indicate that the repair and replacement of the fence is a

matter for the owners. They state that they obtained appropriate quotes and asked owners to make appropriate payments. They indicate that they did not receive payments and accordingly did not proceed with the works. Please explain the basis upon which you believe that the property factors are responsible and liable to carry out works when they have not been placed in funds to do so by the owners who have the legal responsibility to maintain the fence. You also indicate in your email that you are doing this on behalf of your neighbour. if this is a matter that your neighbour wishes to raise with this tribunal then she requires to raise an application in her own name Please confirm the legal basis for this application. The tribunal would suggest that you may find it useful to seek independent legal advice on this application, the matters contained in this letter and any further action which you wish to take. Please respond within the next three weeks. 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) Regulation.'

1.3 The Tribunal has sent a reminder email to the Applicant dated 5th June 2026 requesting the information specified in the email from the Tribunal dated 21st April 2026. The email stated that if the information was not provided it is likely that the application will be rejected.

1.4 The required information has not been provided.

2. Decision.

As the Applicant has not provided the Tribunal with the information requested in the email from the Tribunal dated 21st April 2026 after sending a reminder the Tribunal have good reason to believe that the dispute to which the application relates has been resolved and therefore it would not be appropriate to accept the application and reject the application in terms of rules 8 (1)(b) (c) of the Tribunal Rules.

3. 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

Jacqui Taylor - Legal Member

Date: 27th July 2026