

**Housing and Property Chamber**  
First-tier Tribunal for Scotland

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**Decision 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/18/1121**

**Re: Property at 27 Merse Drive, Kirkcudbright, DG6 4RW (“the Property”)**

**Parties:**

**Mr Malcolm Ross Irving, Bengairn, Springholm, Castle Douglas, DG7 3LP (“the Applicant”)**

**Mr Simon Parkinson, Ms Sarah Jane Parkinson, 27 Ernespie Road, Castle Douglas, DG7 1LD (“the Respondent”)**

**Tribunal Members:**

**Andrew Upton (Legal Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”), having considered the email from the Applicant’s Representative confirming that the application had been resolved extra-judicially, dismissed the application.**

**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.**

**Since an appeal is only able to be made on a point of law, a party who intends to appeal the tribunal’s decision may wish to request a Statement of Reasons for the decision to enable them to identify the point of law on which they wish to appeal. A party may make a request of the First-tier Tribunal for Scotland**

(Housing and Property Chamber) to provide written reasons for their decision within 14 days of the date of issue of this decision.

Where a Statement of Reasons is provided by the tribunal after such a request, the 30 day period for receipt of an application for permission to appeal begins on the date the Statement of Reasons is sent to them.

Andrew Upton

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Legal Member/Chair

4 SEPTEMBER 2018  
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Date