



**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.**

Chamber Ref: FTS/HPC/EV/21/0411

Re: The Bungalow, Glenree, Alyth, Blairgowrie, PH11 8EA ("the Property")

Parties:

John McIntosh, Rooftops, Glenree, Alyth, Blairgowrie, PH11 8EA ("the Applicant")

Gary Brown, The Bungalow, Glenree, Alyth, Blairgowrie, PH11 8EA ("the Respondent")

Tribunal Member: Martin J. McAllister (Legal Member)

**The Tribunal Member, acting under delegated powers of the Chamber President, rejects the application by the applicant dated 19<sup>TH</sup> February 2021 which is an application under Section 51(1) of the Private Housing (Tenancies) (Scotland) Act 2016 ("the 2016 Act") and Rule 109 of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017**

1. The Applicant submitted an application for eviction based on the terms of the 2016 Act.
2. On 11<sup>th</sup> March 2021, the Tribunal requested further information from the applicant's solicitors. Specifically, a request was made for further information that the parties had entered into a private residential tenancy as defined in the 2016 Act and evidence in support of the eviction ground.
3. No information has been provided by the Applicant or his solicitor in response to the said letter of 11<sup>th</sup> March 2021.

4. The Tribunal's letter of 11<sup>th</sup> March 2021 stated that, if the necessary information were not provided by 25 March 2021, the Chamber President may decide to reject the application.
5. 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.

**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, 15<sup>th</sup> April 2021