



DECISION AND STATEMENT OF REASONS OF THE FIRST-TIER TRIBUNAL FOR SCOTLAND

Under Rule 8 of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 ("the Rules")

In respect of

107 Goodhope Park, Porter House, Bucksburn, Aberdeen

Case Reference: FTS/HPC/CV/18/3498

At Glasgow on 17 April 2019, Andrew McLaughlin, Legal Member of the First-Tier Tribunal with delegated powers of the Chamber President, rejected the above application in terms of rule 8 of the Rules for the following reasons:

1. The Applicant seeks a payment order in respect of Section 71 (1) of the Private Housing (Tenancies) (Scotland) Act 2016. The Applicant's representative has been repeatedly requested to provide the Tribunal with confirmation that they have written authority to act on behalf of the Applicant. The Tribunal has requested this from the Applicant's representative on numerous occasions. These include requests made in writing by the Tribunal on 24 December 2018, 14 February 2019 and by a letter dated 15 March which also advised that if no response was received by 29 March 2019 that the Application would be rejected. No response was subsequently received.
2. I consider that in light of the Applicant's representative failing to respond to the above correspondence it is not appropriate to accept the Application in terms of Tribunal Rule 8 (C) which allows for an Application to be rejected by a Legal Member of the Tribunal on behalf of the Chamber President if *"they have good reason to believe that it would not be appropriate to accept the application."* The Application is therefore rejected.

NOTE: What you should do now.

If you accept this decision, there is no need to reply.

If you disagree with this decision you should note the following:

An applicant aggrieved by the decision of the Chamber President, or any Legal Member acting under delegated powers 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 seek permission to appeal within 30 days of the date the decision was sent to them.

A. McLaughlin

Mr Andrew McLaughlin

Legal Member

17 April 2019