

Housing and Property Chamber
First-tier Tribunal for Scotland



**Notes on a Case Management Discussion of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under the Tenancy Deposit Schemes
(Regulations) 2011**

Chamber Ref: FTS/HPC/PR/19/0499

Re: Property at 20 Kaimes Avenue, Kirknewton, West Lothian, EH27 8AU ("the Property")

Parties:

Miss Lynne Clark, 152 Clement Rise, Livingston, EH54 6LP ("the Applicant")

Mr Brian Dickson, 44 Pinewood Place, Blackburn, EH47 7NY ("the Respondent")

Tribunal Member:

Richard Mill (Legal Member)

Summary of Discussion

The Applicant and Respondent are the former tenant and landlord respectively of the property at 20 Kaimes Avenue, Kirknewton, West Lothian.

Both parties attended the hearing.

The parties are agreed that the tenancy ended on 2 November 2018. The applicant refers to this date in her application.

The application is dated 8 February and was lodged on 14 February 2019.

Regulation 9(2) contains a strict time bar. Applications under the regulations must be made within 3 months of the tenancy ending.

The application is incompetent as it was not lodged timeously. Accordingly there is no option but to dismiss the application.

NOTE: This document is not confidential and will be made available to other First-tier Tribunal for Scotland (Housing and Property Chamber) staff, as well

as issued to tribunal members in relation to any future proceedings on unresolved issues.

R Mill

Legal Member

21/6/19

Date