



**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/RE/21/1025

Re: Seton Cottage, Springholm. Dumfries, DG7 3LP ("the Property")

Parties:

Mrs Elizabeth Mackenzie, 7 Reoch Park, Springholm, ("the Applicant")

Sandra Thom Properties, 25 Kellwood Place, Georgetown, Dumfries ("the Applicant's Representative")

Ms Claudia Thomson, residing at Seton Cottage, Springholm, Dumfries, DG7 3LP ("the Respondent")

Tribunal Member: Martin J. McAllister (Legal Member)

**The Tribunal rejects the application by the applicant dated 27<sup>th</sup> April 2021 which is an application under Section 28 A(1) of the Housing (Scotland) Act 2006 and Rule 55 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017.**

1. The Applicant's Representative was asked on 8<sup>TH</sup> June 2021 to provide further information to enable the application to be considered. The information requested was evidence of notification to the Respondent of the Applicant's need to have access to the Property.
2. The Applicant's Representative was advised that such information required to be provided by 29<sup>th</sup> June 2021.

3. A further request was made on 7<sup>th</sup> July 2021.
4. The requested information has not been provided by the Applicant or the Applicant's Representative.
5. The Applicant has had sufficient time to produce the requested information and the Tribunal has good reason to believe that it is not appropriate to accept the application. It rejects the application in terms of rule 8 (1) (c) of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017.

**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**

Martin J. McAllister, Legal Member, 11<sup>th</sup> August 2021