



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.

Case reference FTS/HPC/PF/20/0753

Parties

Miss Blanka Jarosinska (Applicant)

Your Place Property Management Company (Respondent)

31 Gogar Street, 2/2, Glasgow, G33 2JQ (Property)

Tribunal Member: Jacqui Taylor (Legal Member)

The Tribunal rejects the application by the Applicant dated 1st March 2020, being an application under section 17(1) of the Property Factors (Scotland) Act 2011.

The Tribunal administration sent the Applicant an email dated 10th March 2020 which requested further information to enable the application to be processed and asked that the requested information be provided by 7th April 2020.

On 17th June 2020 the Tribunal administration sent a reminder email to the Applicant as the required information had not been received.

On 22nd June 2020 the Applicant sent the Tribunal a copy of two letters of notification she had sent to the Factor regarding breaches of the Code of Conduct and Property factor Duties. The letter of notification of the Code of Conduct breaches did not detail the particular paragraph(s) of section 6 of the Code of Conduct that had been breached by the Factor. No evidence of posting or an acknowledgement by the Factor was provided. The Written Statement of Services was not provided.

On 2nd July 2020 the Tribunal administration sent a further email to the Applicant explaining that the required information had not been received and advising her that

if the Tribunal did not receive the required information by 16th July 2020 the application may be rejected.

The Tribunal administration have not received all the necessary information that they had requested in their email dated 10th March 2020, despite sending the said reminders to the Applicant.

Accordingly the Tribunal have good reason to believe that it would not be appropriate to accept the application and reject the application in terms of rule 8 (1)(c) of the Tribunal Rules.

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

.....Legal Member

Date: 29th July 2020