



**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/RS/22/3972

**Parties**

**Ms Lynne Morrison (Applicant)**

**Crown Estate Scotland (Respondent)**

**Alisdair Davidson (Respondent's Representative)**

**Poldean Cottage North, Moffat, DG10 9LY (House)**

Tribunal Member: Jacqui Taylor (Legal Member)

The Tribunal rejects the AT4 application by the Applicant dated 19<sup>th</sup> October 2022, being an application by the Tenant for determination of the rent in terms of section 34(1) of the Housing (Scotland) Act 1988.

The Applicant sent the Tribunal administration a letter dated 18<sup>th</sup> November 2022 which states that she has not received a lease or AT5 for the property Poldean Cottage North, Moffat. She provided the Tribunal with copies of rent invoices.

As both no AT5 was provided to the tenant the lease is not a short assured tenancy and 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**

.....J.Taylor.....Legal Member    Date: 7<sup>th</sup> December 2022