



**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/RP/19/2452

Re: 38 Reid Terrace, Edinburgh, EH3 5JH ("the Property")

Parties:

Miss Nikki Brannan ("the Applicant")

Rettie and Co, the Landlords' Representatives ("the Respondents")

Tribunal Member: Jacqui Taylor (Legal Member)

The Tribunal rejects the application by the Applicant dated 6<sup>th</sup> August 2019 being an application under section 22(1A) of the Housing (Scotland) Act 2006 requesting the Tribunal to determine if the property complies with the Repairing Standard.

The Applicant is a neighbouring proprietor of the Property. Section 22(1B) of the Housing (Scotland) Act 2006 provides that a third party application may be brought by a local authority. The Applicant is not a local authority and therefore the application is not competent.

Also Tribunal Rule 48 (2) sets out the requirements for a valid application. As the Applicant's address, the Tenant's name and address and the Landlords' name and address have not been completed the application is not valid.

Consequently the Tribunal believes that it is not appropriate to accept the application in terms of Tribunal Rule 8(c).

**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

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.....Legal Member

Date: 12th August 2019