



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/RP/21/2735

Parties

Mr Nathan Smith (Applicant)

Mr Patrick Dixon, Ms Genny Dixon (Respondent)

Whinstanes Cottage, Grueldykes, Duns, TD11 3QJ (House)

Tribunal Member: Jacqui Taylor (Legal Member)

The Tribunal rejects the application by the Applicant dated 29th October 2021 being an application under section 22(1) of the Housing (Scotland) Act 2006 requesting the Tribunal to determine if the property complies with the Repairing Standard.

The Tribunal Administration sent letters/ emails to the Applicant dated 23rd November 2021 and 21st December 2021 requesting further information to enable the Tribunal to proceed with the application.

The emails requested evidence that proper notification had been made on the Respondent.

No response was received and the required documents were not provided.

The email from the Tribunal Administration to the Applicant dated 21st December 2021 also explained that if the Tribunal do not receive the information requested by 28th December 2021 the President may decide to reject the application.

As no response has been received to the said letters/ emails dated 23rd November 2021 and 21st December 2021 the Tribunal believe that the dispute has been resolved and reject the application in terms of rule 8(10(b) 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: 2nd February 2022