



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/22/0639

Parties

Miss Kim Emslie (Applicant)

Mr Shahid Mahmood (Respondent)

Thyme Property Management (Respondent's Representative)

29D Marketgate, Arbroath, DD11 1AU (House)

Tribunal Member: Jacqui Taylor (Legal Member)

The Tribunal rejects the application by the Applicant dated 24th February 2022, 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 sent an email to Kim Emslie dated 7th March 2022 requesting further information to enable the Tribunal to proceed with the application and requesting that the necessary information be provided by 21st March 2022. The email also explained that if the Tribunal do not receive the information requested by the President will have no option but to reject the application. No response was received and the required documents were not provided.

On 26th April 2022 the Tribunal sent an email reminder to Kim Emslie asking for the necessary information to be provided.

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

As the information requested in the said letter and email dated 7th March 2022 has not been received the Tribunal believe that the dispute has been resolved and rejects 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

Date: 20th May 2022