



**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/23/0642

**Parties**

**Mrs Claire Kelly, Mr Daniel Kelly (Applicant)**

**Mrs Beth Carroll (Respondent)**

**9 Almondhill Road, Kirkliston, Edinburgh, EH29 9BN (House)**

Tribunal Member: Jacqui Taylor (Legal Member)

The Tribunal rejects the application by the Applicant dated 17<sup>th</sup> February 2023, being an application under section 22(1) of the Housing (Scotland) Act 2006 requesting the Tribunal to determine if the House complies with the Repairing Standard.

The Tribunal sent a letter to the Applicant dated 1st March 2023 requesting a copy of the tenancy agreement and a copy of the letter she sent to the Respondent intimating the repairs detailed in the application. She was advised to let the Tribunal have a copy of the required documents by 15<sup>th</sup> March 2023. A reminder letter was sent to the Applicant dated 20<sup>th</sup> April 2023 requesting a copy of the required documents by 4<sup>th</sup> May 2023. The letters dated 1st March 2023 and 20<sup>th</sup> April 2023 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 to the said letters and the required documents were not provided.

Consequently, the Tribunal believe that the dispute has been resolved and rejects the application in terms of rule 8(1)(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: 26<sup>th</sup> May 2023