



**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/18/3086

Re: Flat 2/2, 27 Allison Street, Glasgow, G42 8NP("the Property")

Parties:

Mr Daniel Kelly ("the Tenant ")

Martin & Co ("the Landlord")

Tribunal Member: Jacqui Taylor (Legal Member)

The Tribunal rejects the application by the applicant under section 14(1) of the Act requesting the Tribunal to determine if the property complies with the Repairing Standard dated 14<sup>th</sup> November 2018. The Tribunal sent the applicant a letter dated 10<sup>th</sup> December 2018, by email, which requested further information to enable the application to be processed. No response was received to that letter. The Tribunal administration sent the applicant a reminder email dated 10<sup>th</sup> January 2019. Further reminder emails were sent to the applicant by the Tribunal administration dated 5<sup>th</sup> February 2019 and 1<sup>st</sup> March 2019 which referred to the said letter dated 10<sup>th</sup> December 2018 and advised that if we do not receive the information requested timeously our legal convenor is likely to assume that the matter has been resolved and may reject the application on that basis.

As no response has been received to the said letter dated 10<sup>th</sup> December 2018 and the said emails dated 10<sup>th</sup> January 2019, 5<sup>th</sup> February 2019 and 1<sup>st</sup> March 2019 the Tribunal believe that the dispute has been resolved and reject 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 Tayler

..... Legal Member

Date: 20<sup>th</sup> March 2019