



**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/21/1010

Re: 2 Cumbrae Drive, Motherwell, ML1 3LG ("the Property")

Parties:

Alana Watson, 2 Cumbrae Drive, Motherwell, ML1 3LG ("the Applicant")

Lynne Jenkinson, 137 Glencoe, Whitburn, Bathgate, EH47 8AS ("the Respondent")

Tribunal Member: Martin J. McAllister (Legal Member)

The Tribunal rejects the application by the applicant dated 28<sup>TH</sup> April 2021 being an application under section 22 (1) of the Housing (Scotland) Act 2006.

The Tribunal sent the applicant a letter dated 28<sup>th</sup> April 2021 which requested further information to enable the application to be processed. The applicant was advised that, in terms of Section 22 (3) of the Housing (Scotland) Act 2006, no application may be made unless the person making the application has notified the landlord that work requires to be carried out to a property to ensure that it continues to meet the repairing standard. The applicant was asked to provide evidence that such intimation had been given to the Respondent. The letter stated that the information was to be provided by 1<sup>th</sup> May 2021. No information was received and a reminder was sent on 21<sup>st</sup> May 2021 which requested that the information be provided by 4<sup>th</sup> June 2021. The Applicant was advised that, if the information was not provided, the Application may be rejected.

The Applicant has not provided the information requested and has had ample opportunity to do so.

Accordingly the Tribunal has good reason to believe that it would not be appropriate to accept the application and rejects the application in terms of rule 8 (1) (c) 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**

**M McAllister**

Martin J. McAllister, Legal Member, 22<sup>nd</sup> June 2021