



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/21/1242

Parties

Mrs Fathima Ali (Applicant)

Miss Palwasha Yousafzai (Respondent)

Flat 0/2, 26 Cartside Quadrant, Glasgow, G42 9RL (House)

Tribunal Member: Jacqui Taylor (Legal Member)

The Tribunal rejects the application by the Applicant dated 19th May 2021, 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.

Section 22(3) of the Housing (Scotland) Act 2006 states that no application may be made unless the tenant has notified the landlord that work requires to be carried out for the purpose of complying with the repairing standard.

The Tribunal administration wrote to the Applicant on 25th May 2021 and 8th June 2021 requesting evidence that she had notified the Landlord of the works detailed in her application. No evidence of notification has been provided.

The letters from the Tribunal administration to the Applicant dated 25th May 2021 and 8th June 2021 explained that if the evidence of notification was not provided the President may decide to reject the application.

Accordingly the Tribunal have good reason to believe that it would not be appropriate to accept the application and reject 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

J Taylor

Legal Member Date: 9th July 2021