



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/21/2613

Parties

Mr Padraig Heggarty (Applicant)

Miss Louise Jameson (Respondent)

Pacitti Jones Legal Limited (Respondent's Representative)

35 Princes Gate, Rutherglen, G73 1LS (House)

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. The application was dated 20th October 2021 and was received by the Tribunal Administration on 22nd October 2021. The Applicant sent the Tribunal Administration an email dated 6th December 2021 which stated that he was not a tenant at the start of the application as the tenancy had ended.

In terms of section 22(1) of the Housing (Scotland) Act 2006 an application under section 14(1) of the Act requesting the Tribunal to determine if the property complies with the Repairing Standard can only be made by a tenant of the Property. As the applicant no longer resided in the Property at the date of the application he was not tenant of the Property. Accordingly the application is rejected as the Tribunal believes that it is not appropriate to accept the application in terms of Tribunal Rule 8.

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: 20th December 2021