



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/22/1457

Parties

Mr Iain Dunsmuir (Applicant)

North Ayrshire Council (Respondent)

1 Rennie Place, Saltcoats, KA21 5JW (House)

Tribunal Member: Jacqui Taylor (Legal Member)

The Tribunal rejects the application by the Applicant dated 12th May 2022, being an application under section 22(1) of the Housing (Scotland) Act 2006 requesting the Tribunal to determine if the property complies with the Repairing Standard.

The Applicant states that the Landlord is North Ayrshire Council. In support of the application the Applicant provided a copy of his tenancy agreement. The tenancy is a Scottish Secure Tenancy.

In terms of section 12(1) of the Housing (Scotland) Act 2006 the repairing standard does not apply to a Scottish Secure Tenancy.

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

.....Legal Member

Date: 10th June 2022