



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/21/0076

Parties

Miss Emma-Louise Davy (Applicant)

Inkersall estate (Respondent)

The Old Schoolhouse, Elgin, Lochhills, IV30 8LT (House)

Tribunal Member: Jacqui Taylor (Legal Member)

The Tribunal rejects the application by the applicant dated 7th January 2021 under section 14(1) of the Act requesting the Tribunal to determine if the property complies with the Repairing Standard. The applicant sent the Tribunal administration an email dated 18th January 2021 which advised that she had vacated the Property on 24th December 2020. 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 resides in the Property she is 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 January 2021