



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/22/1415

Parties

Mr.Mrs Andrew/Rachel Wilkins (Applicant)

Mr Glen Miller (Respondent)

9 St Helens Place, Armadale, Bathgate, EH48 3EX (House)

Tribunal Member: Jacqui Taylor (Legal Member)

The Tribunal rejects the application by the Applicants under section 14(1) of the Act requesting the Tribunal to determine if the property complies with the Repairing Standard. In the email from the Applicants dated 16th May 2022 the Applicants state that that they no longer reside at the property. 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 Applicants no longer reside in the Property they are not tenants 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: 27th May 2022