



**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/21/2204

**Parties**

**Miss Natasha McGourt (Applicant)**

**Mrs Ursula Farrier (Respondent)**

**104 Broomfield Crescent, Edinburgh, EH12 7LX (House)**

Tribunal Member: Jacqui Taylor (Legal Member)

The Tribunal rejects the application by the Applicant dated 30<sup>th</sup> August 2021, 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 Tribunal sent the Applicant a letter dated 16<sup>th</sup> September 2021 in the following terms:

‘A legal member of the Tribunal with delegated powers of the Chamber President has considered the application submitted by you. The application has been submitted using Form A which is to be used where it is alleged that a property does not meet the repairing standard as set out in the Housing (Scotland) Act 2006. It appears that what you are seeking is reimbursement for what you have spent to replace a carpet. If that is the case, then the appropriate form to be used is Form F. Please consider withdrawing the application submitted by you and submitting the correct form. Please note that if no response is received from you by 30<sup>th</sup> September 2021, the President may consider rejecting the application.’

The Tribunal has not received a response to the said letter dated 16<sup>th</sup> September 2021.

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: 6<sup>th</sup> October 2021