

Housing and Property Chamber

First-tier Tribunal for Scotland



First-tier Tribunal for Scotland (Housing and Property Chamber)

Section 24 Housing (Scotland) Act 2006

Chamber Ref: FTS/HPC/RT/21/2983

Re Property: Flat 1/1 172 Copland Road, Glasgow G51 2UE (“the Property”)

Parties:

Glasgow City Council, NRS, Private Sector Housing, 231 George Street, Glasgow G1 1RX (“the Third Party Applicant”),

and

Mr Ronald Porch and Mrs Maryann Porch, 9 Hillington Gardens, Glasgow G52 2TP (“the Respondents”) and

Tribunal Members:

G McWilliams- Legal Member

M Links- Ordinary Member

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) allows the Application to be withdrawn in terms of Rule 15 of The First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 (“the 2017 Rules”).

Background

1. By Application, received by the Tribunal on 2nd December 2021, the Third Party Applicant applied to the Tribunal for determination of whether or not the Respondents had failed to comply with the duties imposed by Section 14 (1)(b) of the Housing (Scotland) Act 2006 (“the 2006 Act”).

Inspection

2. The Tribunal Members inspected the Property at 10.30am on 5th April 2022. Mr J Kennedy, the partner of the tenant of the Property, Ms R Farquhar, attended. The Respondent Mr R Porch and a representative from his letting agent 1st Lets UK Ltd, Mr Maz, also attended.
3. Mr Kennedy and Mr Porch both confirmed that all necessary repair works, referred to in the Application, had been carried out. They confirmed that minor cosmetic works, in the bathroom at the Property, were due to be completed on 6th April 2022. The Tribunal noted that the necessary repair works had all been done.

Hearing and Reasons for Decision

4. Following the Inspection, the Tribunal held a Hearing which proceeded remotely by telephone conference call at 2.30pm on 5th April 2022. Ms Farquhar and Mr Kennedy, and the Third Party Applicant's Ms T Coyle, as well as Mr Porch, attended. Ms Farquhar also confirmed that the necessary repair works, referred to in the Application, had been carried out. Ms Coyle stated that, having now become aware that this was the case, she was content to withdraw the Application. All present at the Hearing agreed, and the Tribunal determined that it was appropriate and just, that the Application be withdrawn.
5. The Decision of the Tribunal was unanimous.

Right of Appeal

In terms of section 46 of the Tribunals (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.

Where such an appeal is made, the effect of the decision and of any order is suspended until the appeal is abandoned or finally determined by the Upper Tribunal, and where the appeal is abandoned or finally determined by upholding the decision, the decision and any order will be treated as having effect from the day on which the appeal is abandoned or so determined.

Signed: G McWilliams Legal Member

7th April 2022