



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/22/1589

Parties

Mr Duncan McAdam (Respondent)

Mrs Michelle Carr (Applicant's Representative)

Flat 8, 23 Rosevale Street, Partick, Glasgow, G11 6EL (House)

The Tribunal rejects the application by the Applicant dated 23rd May 2022, being an application under section 22(1A) of the Housing (Scotland) Act 2006 requesting the Tribunal to determine if the property complies with the Repairing Standard.

The email from the Applicant dated 27th May 2022 states:

'I am the unfortunate owner of the property below one of landlord Duncan McAdam's flats. There is no tenancy agreement. I am trying to get the local authority to act on my behalf to enforce essential repairs.'

Section 22(1A) of the Housing (Scotland) Act 2006 entitles the Local Authority to apply to the Tribunal for a determination that the property complies with the Repairing Standard. The applicant is not a Local Authority or a tenant of the Property.

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