



## DECISION AND STATEMENT OF REASONS OF THE FIRST-TIER TRIBUNAL

Under Rule 8 of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 “the Rules”)

In respect of

48 Kirkshaw Avenue, Coatbridge

**Case Reference: FTS/HPC/EV/18/0082**

At Glasgow on 22 January 2018, Andrew McLaughlin, Legal Member of the First-Tier Tribunal with delegated powers of the Chamber President, rejected the above application in terms of rule 8 of the Rules for the following reasons:

- 1 Title to the property is in the name of JAMES and KAREN LAMBERT but the above application is in the name of JAK.G. LTD which is also stated to be the landlord in respect of the tenancy and in whose name the statutory notices have been served. There is no explanation provided for this significant discrepancy. The Property is not owned by the applicant and no evidence has been provided to demonstrate the applicant’s interest in the property or entitlement to act as landlord and seek eviction.
- 2 Rule 8 (C) of the Rules allows an application to be rejected by the Chamber President if *“they have good reason to believe that it would not be appropriate to accept the application”*.
- 3 Accordingly I consider that it is not appropriate to accept the application.

### **NOTE: What you should do now.**

If you accept this decision, there is no need to reply.

If you disagree with this decision you should note the following:

An applicant aggrieved by the decision of the Chamber President, or any Legal member acting under delegated powers 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 seek permission to appeal within 30 days of the date the decision was sent to them. Information about the appeal procedure can be forwarded to you on request.

Mr Andrew McLaughlin

Legal Member

23 January 2018