



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

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

In respect of

251 Cedar Road, Cumbernauld, Glasgow, G67 3AT

**Case Reference: FTS/HPC/CV/18/3117**

At Glasgow on 8 April 2019, 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. The Applicant seeks a Payment Order against the Respondent in respect of Rule 70. On 4 February 2019 the Tribunal wrote to the Respondent requesting confirmation of whether the Applicant wished to proceed further with the Application. This was on account of an issue relating to a separate but related case where an Application for an Eviction order was refused. No response was received from the Applicant. The Tribunal then wrote to the Applicant again on 6 March 2019 advising that unless a response was received within 14 days, the Application would be rejected. No response was received.
2. Accordingly I consider that it is not appropriate to accept the application in terms of Tribunal Rule 8 (C) which allows for an application to be rejected by a Legal Member of the Tribunal on behalf of the Chamber President if *“they have good reason to believe that it would not be appropriate to accept the application.”* The Application is therefore rejected.

### **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.

## A McLaughlin

Legal Member

8 April 2019