



**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.**

Chamber Ref: FTS/HPC/RE/21/1469

Re: 312 (Flat E) Queen Street, Broughty Ferry, Dundee, DD5 2HQ ("the Property")

Parties:

Ms Kirsty Doig, 3B Meadow Mill, Henderson's Wynd, Dundee, DD1 5BY, ("the Applicant")

Rentlocally Tayside and Fife, Lindsay Court, Gemini Crescent, Dundee, DDT 1SW ("the Applicant's Representative")

Ms Catriona Massie, 3B Meadow Mill, Henderson's Wynd, Dundee, DD1 5BY ("the Respondent")

Tribunal Member: Martin J. McAllister (Legal Member)

**The Tribunal rejects the application by the applicant dated 16<sup>th</sup> June 2021 which is an application under Section 28 A(1) of the Housing (Scotland) Act 2006 and Rule 55 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017.**

1. The Applicant's Representative was asked on 29<sup>TH</sup> June 2021 to provide further information to enable the application to be considered. The request for information was in terms of Rule 5 (3) of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 ("the Rules").
2. The information requested was evidence of notification to the Respondent of the Applicant's need to have access to the Property. The Applicant's Representative was also asked for clarification with regard to the status of the

Applicant because the Scottish Landlord Register disclosed that another person is the landlord.

3. The Applicant's Representative was also asked to provide information with regard to the contractors requiring access.
4. The Applicant's Representative was advised that such information required to be provided by 20<sup>th</sup> July 2021.
5. A further request was made on 2nd August 2021 and the letter to the Applicant's Representative on that date stated that, if the information were not provided by 9<sup>th</sup> August 2021, the application may be rejected.
6. The requested information has not been provided by the Applicant or the Applicant's Representative.
7. The Applicant has had sufficient time to produce the requested information and has not done so. The Tribunal has good reason to believe that it is not appropriate to accept the application. It rejects the application in terms of rule 8 of the 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**

# M McAllister

Martin J. McAllister, Legal Member, 17th August 2021