



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/PF/19/2464

Re: 0/2, 24 Leven Street, Pollokshields, Glasgow, G41 2JE ("the Property")

Parties:

Mr Mohammed Younis ("the Applicant")

James Gibb Property Management Ltd ("the Respondent")

Tribunal Member: Jacqui Taylor (Legal Member)

The Tribunal rejects the application by the applicant dated 8th June 2019 being an application under section 17(1) of the Property Factors (Scotland) Act 2011.

The Tribunal sent the applicant an email dated 21st August 2019 which requested further information to enable the application to be processed and asked that the requested information be provided by 18th September 2019.

The Applicant provided some of the information on 11th September 2019. As all the information had not been provided the Tribunal sent the Applicant a further email dated 9th October 2019 explaining that the Tribunal's email of 21st August had not been answered in full. They asked that a full answer is provided to each point of the email of 21st August 2019. They also sent the Applicant a copy of the Code of Conduct.

Thereafter the Applicant sent the Tribunal further correspondence, namely a completed Property Factor Code of Conduct notification letter and a copy of the Factor's Written Statement of Services. The notification letter referred to sections of

the Code of Conduct that do not exist. Full answers had still not been provided to the Tribunal's email of 21st August 2019.

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

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.....Legal Member Date: 6th November 2019