



**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/RP/20/0553

Re: 52 Howletnest Road, Airdrie, ML6 8AL("the Property")

Parties:

Pui Wha Leung ("the Applicant")

Paul McNivern ("the Respondent")

Tribunal Member: Jacqui Taylor (Legal Member)

The Tribunal rejects the application by the Applicant dated 11<sup>th</sup> February 2020 being an application under section 22(1) of the Housing (Scotland) Act 2006 requesting the Tribunal to determine if the property complies with the Repairing Standard.

The Tribunal Administration sent letters/ emails to the Applicant dated 4<sup>th</sup> March, 1<sup>st</sup> May 2020 and 19<sup>th</sup> June 2020 requesting further information to enable the Tribunal to proceed with the application.

The emails requested evidence that the applicant had notified the required repairs referred to in the application to the Landlord.

The required documents were not provided.

The email from the Tribunal Administration to the Applicant dated 1<sup>st</sup> May 2020 also explained that if the Tribunal do not receive the information the President may decide to reject the application.

As the evidence of notification of the required repairs detailed in the application have not been provided the Tribunal believe that the dispute has been resolved and reject the application in terms of rule 8(10(b) 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**

J Taylor

Legal Member      Date: 13<sup>th</sup> July 2020