



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/19/2902

Re: ("the Property")

Parties:

Calum Andrew and Claire Mackinnon residing at 14A Hamilton Place, Aberdeen, AB15 4RH ("the Applicants")

Robin Steedman ("the Respondent")

Mrs Elizabeth Mackinnon, 14A Hamilton Place, Aberdeen, AB15 4BH ('Applicant's Representative')

Tribunal Member: Jacqui Taylor (Legal Member)

The Tribunal rejects the application by the Applicants dated 12th September 2019 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.

In terms of section 22(1) of the Housing (Scotland) Act 2006 an application under section 14(1) of the Act requesting the Tribunal to determine if the property complies with the Repairing Standard can only be made by a tenant of the Property. As the Applicant no longer resides in the Property she is not tenant of the Property. Accordingly the application is rejected as the Tribunal believes that it is not appropriate to accept the application in terms of Tribunal Rule 8.

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

Jacqui Taylor

.....

.....Legal Member

Date: 4th November 2019