



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/19/0615

Re: North Lamburn, Pitmaduthy, Invergordon, IV18 0PB ("the Property")

Parties:

Mr George Heggie ("the Applicant")

Mr Rory Mackenzie, Mrs Evelyn Mackenzie ("the Respondents")

Ms Wendy Anne Smith ('Applicant's Representative')

Tribunal Member: Jacqui Taylor (Legal Member)

The Tribunal rejects the application by the Applicant dated 14th February 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.

The Tribunal sent an email to the Applicant and the Applicant's Representative dated 27th June 2019 requesting further information to enable the Tribunal to proceed with the application and requesting that the necessary information be provided by 11th July 2019. The email also explained that if the Tribunal do not receive the information requested by 11th July 2019 the President will have no option but to reject the application. No response was received and the required documents were not provided.

On 22nd July 2019 the Tribunal sent an email reminder to the Applicant and the Applicant's Representative asking for the necessary information to be provided by 5th August 2019. The email also explained that if the Tribunal do not receive the information requested by 5th August 2019 the President may decide to reject the application.

No response was received and the required documents were not provided.

As no response has been received to the said emails dated 27th June 2019 and 22nd July 2019 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: 4th September 2019