



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.

Case reference FTS/HPC/LM/20/0468

Parties

Mr Andrew McGillivray (Applicant)

Life Property Management (Respondent)

Charlston Development Cove, 4 Wellington Green, Aberdeen, AB12 3TR (Property)

Tribunal Member: Jacqui Taylor (Legal Member)

The Tribunal rejects the application by the applicant dated 17th February 2020, being an application under section 17(1) of the Property Factors (Scotland) Act 2011.

The Tribunal sent the applicant an email 17th February 2020 which requested further information to enable the application to be processed, including evidence of notification of the application to the factor, and asked that the information be provided by 18th March 2020.

As no response had been received the Tribunal sent the applicant a further emails dated 21st July 2020, 31st August 2020 and 7th October 2020 requesting the applicant to provide the required information.

The said email dated 7th October 2020 explained that if the information was not provided the President may decide to reject the application.

The applicant has not provided the Tribunal with the information requested namely evidence that the breaches of sections 6 and 7 of the Code of Conduct and the property factor duties have been notified to the property factor.

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

A handwritten signature in black ink, appearing to read "J. Taylor".

Legal Member

Date: 19th October 2020