



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/20/0514

Re: 9 Braehead Road, Cumbernauld, G67 2BG; 54 Braehead Road, Cumbernauld, G67 2DE and 348 Braehead Road, Cumbernauld, G67 2BS

("the Properties")

Parties:

Ms Janice Leary, 28 Castle Road, Bathgate, EH48 2UB ("the Applicant")

Mr Alex Waurner, 28 Castle Road, Bathgate, EH48 2UB ("the Applicant's Representative.")

Newton Property Management Limited, 87 Port Dundas Road, Glasgow, G4 0HF ("the Respondent")

Tribunal Member: Martin J. McAllister (Legal Member)

The Tribunal rejects the application by the applicant dated 9th February 2020 being an application in terms of Section 17 (1) of the Property Factors (Scotland) Act 2011

The Tribunal wrote to the Applicant's representative on 21st February 2020 requesting further information to enable the application to be processed and asked that the requested information be provided by 20th March 2020. A reminder letter was sent by the Tribunal on 24th March 2020 which stated that the information requested should be received by 31st March 2020.

No response has been received from the Applicant or the Applicant's Representative and it is therefore not possible for the Tribunal to proceed to determine the application.

Accordingly the Tribunal has good reason to believe that it would not be appropriate to accept the application and it determined that it be rejected 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.

Martin J. McAllister, Legal Member

7th July 2020