

SCHEDULE 1

The First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2016

PART 3

Procedure in respect of private rented applications

Procedure in respect of Repairing Standard Applications

Applications under section 22(1) or (1A) of the Act

42.—(1) An application under section 22(1) or (1A) of the Act must be by written notice and may be made on a form obtained from the First-tier Tribunal.

(2) Where a tenant makes an application under section 22(1) of the Act—

(a) in addition to the tenant's reasons as required by section 22(2) of the Act (reasons for considering that the landlord has failed to comply with the landlord's duty), the application must state—

- (i) the name and address of the tenant;
- (ii) that the application is made under section 22(1) of the Act;
- (iii) the name, address, and profession of any representative of the tenant;
- (iv) the name of the landlord;
- (v) the address of the landlord or, if known, the name, address and profession of any representative of the landlord;
- (vi) the landlord's registration number, if known;
- (vii) the nature of the work requiring to be done;
- (viii) that the landlord has been notified of the work; and

(b) the application must be signed by the tenant or by a representative of the tenant.

(3) Where a third party applicant makes an application under section 22(1A)—

(a) in addition to the third party applicant's reasons as required by section 22(2) of the Act, the application must state—

- (i) the name and address of the third party applicant;
- (ii) that the application is made under section 22(1A) of the Act;
- (iii) the name and address of the tenant;
- (iv) if known, the name, address and profession of any representative of the tenant;
- (v) if known, whether or not the tenant wants to be a party to the proceedings;
- (vi) the name of the landlord;
- (vii) the address of the landlord or, if known, the name, address and profession of any representative of the landlord;
- (viii) the landlord's registration number, if known;
- (ix) the nature of the work requiring to be done;
- (x) that the landlord has been notified of the work; and

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- (b) the application must be signed by the third party applicant or by a representative of the third party applicant.
- (4) Where a property fails to meet the repairing standard in more than one respect, the applicant may raise multiple issues relating to the repairing standard in one application.
- (5) The application must be accompanied by—
 - (a) a copy of the lease or tenancy agreement, or if these are not available as much information about the tenancy as the applicant can give; and
 - (b) a copy of the notification referred to in paragraph (2)(a)(viii) or (3)(a)(x) and any subsequent correspondence relating to that notification.