

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

Amendment to the party's written representations raising new issues of disrepair

50.—(1) Where the effect of any proposed amendment to written representations by the applicant would be to introduce a new issue of disrepair, such amendment may only be made with the consent of the First-tier Tribunal and on such conditions as the First-tier Tribunal thinks fit.

(2) Such an amendment may only be made if the applicant has notified the landlord that further work requires to be done for the purposes of complying with the landlord's duty.

(3) Where an application is amended to include a new issue of disrepair, the landlord may make written representations in response to the amendment, or request the opportunity to make oral representations, by a specified date not less than 14 days from the date on which intimation of the amendment is served.

(4) The applicant may also make further written representations or request the opportunity to make oral representations, by the specified date.

(5) The date by which such representations must be made may, at the request of a party, be changed to such later date as the First-tier Tribunal thinks fit.

(6) The First-tier Tribunal must notify all parties of any change under paragraph (5).

(7) Where an application is amended to include a new issue of disrepair and the landlord requests further time to complete the work necessary to effect the repair, the First-tier Tribunal must allow such further time as it considers reasonable for that work to be completed.

(8) The period of time allowed under paragraph (7) must not be less than 14 days unless the First-tier Tribunal considers that the repair is urgent.