

## SCHEDULE

The First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017

### PART 1

Rules common to all proceedings before the First-tier Tribunal

#### **Death, insolvency or incapacity of a party**

**31.**—(1) Where a party dies, becomes insolvent, or becomes subject to a legal incapacity, while an application is under consideration, a person claiming to represent that party or that party's estate may apply to be a party to the cause under rule 32(3).

(2) For the purposes of paragraph (1) a person is insolvent if—

- (a) the person's estate is sequestrated;
- (b) the person has granted a trust deed for creditors;
- (c) the person is the subject of any other kind of arrangement analogous to those described in sub-paragraphs (a) and (b), anywhere in the world; or
- (d) the person is a non-natural person who has been wound up or in receivership.

(3) The First-tier Tribunal may continue to consider and determine the application despite the death, insolvency or legal incapacity of any party.