

## SCHEDULE

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

## PART 3

### Procedure in respect of private rented applications

#### CHAPTER 10

### Procedure in respect of landlord registration applications

#### **Application for an extension of time limit to determine application for registration as a landlord**

**98.** Where the local authority makes an application under section 85B(3)(1) (time limit for determining application) of the 2004 Act, the application must—

- (a) state—
  - (i) the name and address of the local authority;
  - (ii) the name, address and profession of any representative of the local authority;
  - (iii) the name, address and registration number (if any) of the person applying for landlord registration; and
  - (iv) the date of receipt of the application under section 83 of the 2004 Act; and
- (b) be signed and dated by the local authority or a representative of the local authority.

#### **Commencement Information**

**I1** Sch. para. 98 in force at 1.12.2017, see [reg. 1\(2\)](#)

#### **Application to appeal against refusal to register or removal from register**

**99.** Where a person makes an application under section 92(2) (appeal against refusal to register or removal from register) of the 2004 Act, the application must—

- (a) state—
  - (i) the name, address and registration number (if any) of the person;
  - (ii) the name, address and profession of any representative of the person;
  - (iii) the name and address of the local authority;
  - (iv) the decision of the local authority and the date the person was notified of that decision; and
  - (v) the reasons why a person is appealing the decision of the local authority; and
- (b) be signed and dated by the person or a representative of the person.

#### **Commencement Information**

**I2** Sch. para. 99 in force at 1.12.2017, see [reg. 1\(2\)](#)

(1) Section 85B is not yet in force.

**Application to appeal against a decision of the local authority to serve a notice that no rent is payable**

**100.** Where a relevant person on whom a notice under section 94 (circumstances in which no rent to be payable) of the 2004 Act is served makes an application under section 97(1) (appeals) of the 2004 Act, the application must—

- (a) state—
  - (i) the name and address of the person;
  - (ii) the name, address and profession of any representative of the person; and
  - (iii) the name and address of the local authority;
- (b) be accompanied by a copy of the notification to the person who has the use as a dwelling of the house to which the notice relates as required under section 97(4) of the 2004 Act; and
- (c) be signed and dated by the relevant person or a representative of the relevant person.

**Commencement Information**

**I3** Sch. para. 100 in force at 1.12.2017, see [reg. 1\(2\)](#)

**Application to revoke a notice that no rent is payable**

**101.** Where a local authority makes a decision refusing to revoke a notice under section 95(2) (notices under section 94: revocation) of the 2004 Act and a person having an interest makes an application under section 97(2) (appeals) of the 2004 Act, the application must—

- (a) state—
  - (i) the name and address of the person;
  - (ii) the name, address and profession of any representative of the person; and
  - (iii) the name and address of the local authority;
- (b) be accompanied by a copy of the notification to the person who has the use as a dwelling of the house to which the notice relates as required under section 97(4) of the 2004 Act; and
- (c) be signed and dated by the relevant person or a representative of the relevant person.

**Commencement Information**

**I4** Sch. para. 101 in force at 1.12.2017, see [reg. 1\(2\)](#)

**Parties to be notified by the First-tier Tribunal**

**102.** The parties to be notified by the First-tier Tribunal under rule 9(1) are, in relation to an application—

- (a) under section 85B(3)(2) of the 2004 Act, the local authority and the relevant person;
- (b) under section 92(2) of the 2004 Act, the person whose application for registration is refused or who is removed from the register and the local authority;
- (c) under section 97(1) of the 2004 Act, the person who has been served with a notice under section 94 of the Act and the local authority; and

(2) Section 85B is not yet in force.

**Changes to legislation:** There are currently no known outstanding effects for the The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017, CHAPTER 10. (See end of Document for details)

- (d) under section 97(2) of the 2004 Act, a person whose application for the revocation of a notice under section 94 of the 2004 Act has been refused and the local authority.

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**Commencement Information**

**I5** Sch. para. 102 in force at 1.12.2017, see [reg. 1\(2\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017, CHAPTER 10.