

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.

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.

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;

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

Status: This is the original version (as it was originally made).

- (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.

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.

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
- (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.

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