STATUTORY INSTRUMENTS

2013 No. 1169

The Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013

PART 6

Correcting, Setting Aside, Reviewing and Appealing Tribunal Decisions

Setting aside a decision which disposes of proceedings

51.—(1) The Tribunal may set aside a decision which disposes of proceedings, or part of such a decision, and re-make the decision or the relevant part of it, if—

(a) the Tribunal considers that it is in the interests of justice to do so; and

(b) one or more of the conditions in paragraph (2) are satisfied.

(2) The conditions are—

(a) a document relating to the proceedings was not sent to, or was not received at an appropriate time by, a party or a party's representative;

(b) a document relating to the proceedings was not sent to or was not received by the Tribunal at an appropriate time;

(c) a party, or a party's representative, was not present at a hearing related to the proceedings; or

(d) there has been some other procedural irregularity in the proceedings.

(3) A party applying for a decision, or part of a decision, to be set aside under paragraph (1) must make a written application to the Tribunal so that it is received—

(a) within 28 days after the date on which the Tribunal sent notice of the decision to the party; or

(b) if later, within 28 days after the date on which the Tribunal sent notice of the reasons for the decision to the party.

Changes to legislation:
There are currently no known outstanding effects for the The Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013, Section 51.