

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

Application for permission to appeal a decision of the First-tier Tribunal

37.—(1) A person must make a written application to the First-tier Tribunal for permission to appeal.

(2) An application under paragraph (1) must—

- (a) identify the decision of the First-tier Tribunal to which it relates;
- (b) identify the alleged point or points of law on which the person making the application wishes to appeal; and
- (c) state the result the person making the application is seeking.

(3) No application to appeal may be made in relation to—

- (a) a decision arising from a review by the First-tier Tribunal under rule 39(1);
- (b) rule 58(f);
- (c) section 7 (apportionment of the rateable value by the sheriff where the dwelling-house forms part of lands and heritages) of the 1984 Act;
- (d) section 97 (change of circumstances affecting a tenant who shares accommodation with persons other than landlord which are deemed to be rent increases) of the 1984 Act;
- [^{F1}(da) section 24C (First-tier Tribunal’s power to set rent subject to permitted rate) of the 1988 Act,]
- (e) section 85B(1) (application by a local authority for an extension of the time limit for determining an application for landlord registration) of the 2004 Act;
- (f) section 28A (landlord application to exercise right of entry) of the 2006 Act;
- (g) section 66A (appeals in relation to the right to adapt rented houses for a disabled person or for energy efficiency under section 52) of the 2006 Act;
- (h) paragraph 3 of schedule 5 (warrants for ejection to enforce house in multiple occupation amenity notices) of the 2006 Act;
- (i) section 33 (time limit for determining application for registration as a letting agent) of the 2014 Act; or
- (j) section 29 (First-tier Tribunal’s power to set rent) of the 2016 Act.

Textual Amendments

F1 Sch. rule 37(3)(da) inserted (24.1.2023) by [The First-tier Tribunal for Scotland Housing and Property Chamber \(Amendment\) Regulations 2023 \(S.S.I. 2023/6\)](#), regs. 1(1), **2(4)**

Commencement Information

II Sch. para. 37 in force at 1.12.2017, see [reg. 1\(2\)](#)

(1) 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, Paragraph 37. (See end of Document for details)*

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