

## 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 2

Procedure in respect of repairing standard applications

#### **Application for determination of whether the landlord has failed to comply with the repairing standard**

**48.**—(1) Where a tenant makes an application under section 22(1) (application in respect of the repairing standard) of the 2006 Act—

- (a) in addition to the tenant's reasons as required by section 22(2) of the 2006 Act (reasons for considering that the landlord has failed to comply with the landlord's duty), the application must state—
  - (i) the name and address of the tenant;
  - (ii) that the application is made under that section;
  - (iii) the name, address, and profession of any representative of the tenant;
  - (iv) the name of the landlord;
  - (v) the address of the landlord or the name, address and profession, if known, of any representative of the landlord;
  - (vi) the landlord's registration number, if known;
  - (vii) the nature of the work requiring to be done; and
  - (viii) that the landlord has been notified of the work under section 22(3) of the 2006 Act;
- (b) the application must be accompanied by—
  - (i) the lease or tenancy agreement, or if these are not available as much information about the tenancy as the applicant can give;
  - (ii) the notification referred to in paragraph (1)(a)(viii) and any subsequent correspondence relating to that notification; and
- (c) the application must be signed and dated by the tenant or by a representative of the tenant.

(2) Where a third party applicant makes an application under section 22(1A) (application in respect of the repairing standard) of the 2006 Act—

- (a) in addition to the third party applicant's reasons as required by section 22(2) of the 2006 Act, the application must state—
  - (i) the name and address of the third party applicant;
  - (ii) that the application is made under that section;
  - (iii) the name and address of the tenant;
  - (iv) the name, address and profession, if known, of any representative of the tenant;
  - (v) whether or not the tenant wants to be a party to the proceedings;
  - (vi) the name of the landlord;

**Status:** This is the original version (as it was originally made).

- (vii) the address of the landlord, or the name, address and profession, if known, of any representative of the landlord;
  - (viii) the landlord's registration number, if known;
  - (ix) the nature of the work requiring to be done; and
  - (x) that the landlord has been notified of the work under section 22(3) of the 2006 Act; and
- (b) the application must be accompanied by—
- (i) the lease or tenancy agreement, or if these are not available as much information about the tenancy as the applicant can give; and
  - (ii) the notification referred to in paragraph (2)(a)(x) and any subsequent correspondence available relating to that notification; and
- (c) the application must be signed and dated by the third party applicant or by a representative of the third party applicant.
- (3) Where a property fails to meet the repairing standard in more than one respect, the applicant may raise multiple issues relating to the repairing standard in one application.