



DECISION NOTICE OF SHERIFF ANTHONY DEUTSCH

in the case of

APEX PROPERTY FACTOR LTD., 46 Eastside, Kirkintilloch, G66 1QH

Appellant

and

FIRST-TIER TRIBUNAL FOR SCOTLAND HOUSING AND PROPERTY CHAMBER,
Glasgow Tribunals Centre, 20 York Street, Glasgow, G2 8GT

Respondent

FTT Case Reference: FTS/HPC/PF/17/0023

Decision

[1] The Upper Tribunal refuses the application for permission to appeal to the Court of Session on the grounds that it would be incompetent to do so by virtue on the grounds of section 55 (2) (b) of the Tribunals Scotland Act 2014.

Note

[2] A decision of the Upper Tribunal to refuse permission to appeal a decision of the First-tier Tribunal to the Upper Tribunal cannot be the subject of review or appeal.

[3] I would in any event have refused leave as no arguable point of law arises. The application does not address the detailed reasoning contained in the refusal of permission to

appeal. The application does not advance any argument in support of an alternative construction based on any recognised principles of interpretation; it simply appeals to logic, which, without more, is meaningless.

[4] If the applicant was dissatisfied with the Upper Tribunal decision then it could have taken advantage of rule 3 (7). It has not done so.