



**Decision and statement of Reasons of the First Tier Tribunal (Housing and Property Chamber)**

**Under Rule 8 of the First Tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 ‘the Rules’.**

In respect of application by Mr Liam McIntosh in terms of rule 109 of the Rules.

**Case reference FTS/HPC/EV/25/4760**

At Glasgow on the 20 April 2026, Lesley Anne Ward, legal member of the First –Tier Tribunal ‘the Tribunal’ with delegated powers of the Chamber President, rejected the above application in terms of Rule 8(1)(c) of the Rules

1. This is an application by Mr Liam McIntosh, for eviction, in terms of rule 109 of the Rules. It was received by the Tribunal on 6 November 2025.
2. The in-house convenor reviewed the application and the Tribunal wrote to the applicant on 26 November 2025 seeking further information as follows:
  - (1) Please provide evidence that the section 11 notice was sent to the local authority such as the covering email. 2.
  - (2) Please provide evidence of service of the notice to leave such as the royal mail proof of delivery or sheriff officer certificate of service.
  - (3) In the application form you state that you rely on ground 1, landlord intends to sell. However the notice to leave refers to ground 4. Please clarify and provide an amended application if necessary.
  - (4) Please provide evidence in support of the ground upon which eviction is sought. Evidence in support of ground 4 may be an affidavit from the landlord stating their intention to live in the let property.
3. The applicant responded on 9 November 2025. He provided the section 11 notice and proof of service and stated that the notice to leave was served personally.

4. A further request for information was sent on 7 January 2026 as follows:
  - You are required to provide evidence that you have served the notice to leave on the tenant. Usual service is by post or email. As the notice to leave was hand delivered. You should submit a written note of the date and place of service, who served the notice, whether there was a witness to service, and whether it was posted or handed directly to the tenant. It will be a matter for the tribunal at case management discussion or hearing whether they will accept any such statement as sufficient of evidence of service.
  - In relation to support for the ground sought. An affidavit can be drafted and sworn before a notary public (solicitor). You may also provide a signed and dated statement setting out details of why you require the property.
5. No reply has been received. A reminder was sent on 21 February 2026 but the applicant has not responded.
6. I have reviewed this application today and I have decided to reject it. In terms of Rule 8(c) of the rules I have good reason to consider that it would not be appropriate to accept this application as the application is incomplete. The applicant has failed to respond to two reasonable requests by the Tribunal for further information and a reminder and he has therefore failed to cooperate with the Tribunal in the execution of its duties. It is open to the applicant to resubmit the application with the correct supporting information, bearing in mind this must be done within 6 months of the expiry of any notice to leave being relied upon.

**NOTE: What you should do now.**

If you accept this decision there is no need to reply.

If you disagree with this decision you should note the following:

An Applicant aggrieved by this decision of the Chamber President or any legal member acting under delegated powers may appeal to the Upper tribunal for Scotland on a point of law only. Before an appeal can be made to the Upper Tribunal, the party must seek permission to appeal within 30 days of the date the decision was sent them. Information about the appeal procedure can be forwarded on request.

Lesley Anne Ward

Legal Member

