



**DECISION AND STATEMENT OF REASONS OF PETRA HENNIG MCFATRIDGE LEGAL
MEMBER OF THE FIRST-TIER TRIBUNAL WITH DELEGATED POWERS OF THE CHAMBER
PRESIDENT**

Under Rule 8 of the First-tier Tribunal for Scotland Housing and Property Chamber Rules
of Procedure 2017 ("the Procedural Rules")

in connection with

Case reference FTS/HPC/CV/25/4967

Parties

Mrs Leanne Keeble (Applicant)

Easylet (Applicant's Representative)

93 Morar Road, Cumbernauld, G67 4LQ (House)

1. On 18.11.2025 the First –tier Tribunal for Scotland, Housing and Property Chamber (the Tribunal) received an application for a payment order under Rule 70 of the Procedural Rules from the Applicant's representative. The Applicant's representative submitted a rent statement covering the period from 3.1.2025 to 23.10.2025 and a bank statement covering the period from 24.11.2024 to 12.5.2025
2. The FTT wrote repeatedly (9.12.2025, 2.2.2026, 14.3.2026) to the Applicant's representative requesting further information in the following terms : A legal member of the Tribunal has reviewed your application and has determined that the following information

is required before your application can progress:- 1 A written mandate from the applicant authoring you to represent them in the Tribunal application 2 A copy of the tenancy agreement 3 There is a joint owner named on the title deeds and the landlord registration for the property. Please confirm if he should be added as a joint applicant and provide his contact details. Alternatively, please provide his written consent to the application proceeding in the sole name of the applicant. 4 Please clarify the property address. The application states 93 Morar Road, however the title deeds state 93 Morar Drive.

3. The final request included the following information: We refer to the Tribunal's request for information dated 2 February 2026 , attached. We do not appear to have received a response from you. Your application cannot progress any further without this information. If you fail to respond, it is likely that your application will be rejected by the Chamber President and a decision published on the Tribunal's website. If you do not wish to proceed with the application, please confirm in writing that it should be withdrawn. Please reply to this office with the necessary information by 28 March 2026. If we do not hear from you within this time, the President may decide to reject the application. No answer was received and no further documentation submitted. The file documents are referred to for their terms and held to be incorporated herein.

DECISION

4. I considered the application in terms of Rule 8 of the Procedural Rules. That Rule provides:-

"Rejection of application

8.—(1) The Chamber President or another member of the First-tier Tribunal under the delegated powers of the Chamber President, must reject an application if –

(a) they consider that the application is frivolous or vexatious;

(b) the dispute to which the application relates has been resolved;

(c) they have good reason to believe that it would not be appropriate to accept the application;

(d) they consider that the application is being made for a purpose other than a purpose specified in the application; or

(e) the applicant has previously made an identical or substantially similar

application and in the opinion of the Chamber President or another member of the First-tier Tribunal, under the delegated powers of the Chamber President, there has been no significant change in any material considerations since the identical or substantially similar application was determined.

(2) Where the Chamber President, or another member of the First-tier Tribunal, under the delegated powers of the Chamber President, makes a decision under paragraph (1) to reject an application the First-tier Tribunal must notify the applicant and the notification must state the reason for the decision."

5. After consideration of the application, the attachments and correspondence from the Applicant, I consider that the application should be rejected in terms of Rule 8 (c) of the Rules of Procedure on the basis as the Tribunal has good reason to believe that it would not be appropriate to accept the application.

Relevant Legislation

Application for civil proceedings in relation to an assured tenancy under the 1988 Act

70. Where a person makes any other application to the First-tier Tribunal by virtue of section 16 (First-tier Tribunal's jurisdiction in relation regulated and assured tenancies etc.) of the 2014 Act, the application must—

- (a) state—
 - (i) the name and address of the person;
 - (ii) the name and address of any other party; and
 - (iii) the reason for making the application;
- (b) be accompanied by—
 - (i) evidence to support the application; and
 - (ii) a copy of any relevant document; and
- (c) be signed and dated by the person.

Application for civil proceedings in relation to a private residential tenancy

111. Where a person makes any other application to the First-tier Tribunal by virtue of section 71(1) (First-tier Tribunal's jurisdiction) of the 2016 Act, the application must—

- (a) state—

- (i) the name and address of the person;
 - (ii) the name and address of any other party; and
 - (iii) the reason for making the application;
- (b) be accompanied by—
- (i) evidence to support the application; and
 - (ii) a copy of any relevant document; and
- (c) be signed and dated by the person.

REASONS FOR DECISION

6. No tenancy agreement was provided and thus it is not possible for the FTT to determine whether or not the application was made under the correct rule. Whilst the application was made under rule 70, the payment information only relates to dates which would fall within the period when a new tenancy would automatically be a private residential tenancy. The FTT had repeatedly requested the tenancy agreement to verify the nature of the tenancy and the rent agreed. This has not been submitted.
7. The representative has not verified their authorisation by the applicant despite several requests to provide this.
8. The address for the property does not match the address in the title deeds showing the applicant as owner. The FTT has repeatedly asked for clarification of this and this has not been provided.
9. The FTT had written to the Applicant's representative on 3 occasions requesting information and had not received a reply to any correspondence. It is clear that the Applicant is no longer engaging with the application process. The Applicant's representative had been advised that the application may be rejected if no reply is received.
10. Given that the application does not fulfil the lodging criteria for an application of that nature in terms of either rule 70 or Rule 111 of the Procedure Rules and in particular was not accompanied by the tenancy agreement, which would be required to evidence the rental charge agreed, it would not be appropriate for the Tribunal to accept the incomplete application.
11. As the Applicant has disengaged from the process and not replied to repeated requests from the FTT for further information it would not be appropriate to accept an application which clearly is no longer insisted upon.
12. The application it is therefore rejected.

13. It should be noted that this decision does not prevent a further future application to be made as long as that application is then supported by all necessary information and documentation.

What you should do now

If you accept the Legal Member's decision, there is no need to reply.

If you disagree with this decision:-

An applicant aggrieved by the 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 first seek permission to appeal from the First-tier Tribunal. That party must seek permission to appeal within 30 days of the date the decision was sent to them. Information about the appeal procedure can be forwarded to you on request.

Petra Hennig-McFatrige

Petra Hennig McFatrige

Legal Member

18 May 2026