



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Rule 8(1)(c) of the First-tier Tribunal for Scotland (Housing and Property Chamber) Rules of Procedure 2017 (“the Rules”)

Reference number: FTS/HPC/PF/26/0385

Re: Property at Flat 1/2 20 Cordiner Street, Mount Florida, Glasgow, G44 4TY (“the Property”)

The Parties:

Mrs Tessa Heywood, Flat 1/2 20 Cordiner Street, Mount Florida, Glasgow, G44 4TY (“the Applicant”)

Tribunal Members: Ruth O’Hare, Legal Member, with delegated powers from the Chamber President

Decision

The Legal Member determined that there is good reason to believe it would not be appropriate to accept the application received by it on 27 January 2026.

The Legal Member therefore rejects the application under Rule 8(1)(c) of the Rules.

Background

- 1** The Applicant submitted an application to the Tribunal on 27 January 2026 in terms of section 17 of the Property Factors (Scotland) Act 2011 (“the 2011 Act”). The application was reviewed by a Legal Member of the Tribunal with delegated powers from the Chamber President under Rule 5(2) of the Rules to assess whether it met the mandatory requirements for lodgement. On 2 March 2026 the Tribunal wrote to the Applicant under Rule 5(3) of the Rules requesting further information. The Applicant was asked to provide a completed application form which specified the sections of the Code the Applicant claimed had been breached, a copy of her title deeds, and evidence that the property factor had been notified of the concerns of the Applicant in relation to the alleged breaches of the Code of Conduct for Property Factors and its alleged failure to comply with the property factor’s duties. The Applicant did not initially respond therefore the Tribunal sent a reminder on 31 March 2026.
- 2** On 7 April the Applicant submitted a message she had sent to the property factor via the factor’s online portal. The Applicant advised that she did not have a printer and did not know how to obtain a copy of her title deeds.

- 3 On 22 May 2026 the Tribunal wrote to the Applicant requesting further information. The Tribunal again requested evidence that the property factor had been notified of her specific complaints, noting that the correspondence she had produced was insufficient. The Applicant was also asked to provide a copy of her title deeds. The Tribunal advised that she could seek advice from a solicitor or free advice agency and directed her to links to advice agencies on the Tribunal's website.
- 4 On 22 May 2026 the Tribunal received an email from the Applicant expressing frustration with the Tribunal process.
- 5 On 1 July 2026 the Tribunal wrote to the Applicant requesting the information previously sought, or confirmation that she wished to withdraw the application.
- 6 No response has been received from the Applicant as at the date of this decision and the requested information remains outstanding.

Reasons for decision

- 7 The Legal Member has determined that the application should be rejected in terms of Rules 8(1)(c) which states that an application must be rejected if the Tribunal has "*good reason to believe that it would not be appropriate to accept the application*".
- 8 The basis of the decision is the Applicant's failure to provide the documents required to meet the mandatory requirements for an application under Rule 43. Rule 43(2) of the Rules states that a homeowner must attach to the application a copy of the notification from the homeowner to the property factor for the purposes of section 17(3)(a) of the 2011 Act. The Applicant has failed to provide sufficient notification which meets the requirements of the 2011 Act. The Applicant has been asked for this information on two occasions. She has therefore been given the opportunity to address the outstanding matters.
- 9 The Legal Member has accordingly determined that the Applicant's failure to provide the requested information constitutes good reason to reject the application under Rule 8(1)(c).

Ruth O'Hare
Chairperson of the tribunal
Dated: 10 August 2026