



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 Kevin Norris of KLP in terms of rule 109 of the Rules.

Case reference FTS/HPC/EV/26/2319

At Glasgow on the 3 August 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 Kevin Norris for eviction, in terms of rule 109 of the Rules. It was received by the Tribunal on 26 May 2026.
2. The in-house convenor reviewed the application and the Tribunal wrote to the applicant on 17 June 2026 seeking further information as follows:
 - (1) You made the application under ground 10 of schedule 5 of the Housing (Scotland) Act 1988. Please provide the Notice provided BY the tenant. Ground 10 ONLY refers to a situation where the tenant has given notice and then not moved out. Otherwise the ground cannot be relied on. If the tenant has not given notice, please amend the application accordingly to show a valid ground. Please note that the sale of a property as stated on the Notice to Leave is not a valid ground for possession proceedings in terms of schedule 5 of the Housing (Scotland) Act 1988, to which rule 65 relates.
 - (2) You have provided a Notice to Leave. This document ONLY relates to Private Residential Tenancies under the Private Housing (Tenancies) (Scotland) Act 2016 and NOT to assured/short assured tenancies under the Housing (Scotland) Act 1988. As the tenancy you produced started in 2013 and thus prior to the 2016 Act coming into force, the Notice to Leave cannot be used as a Notice for the tenancy unless a new tenancy was entered into by the applicant and the tenants under the new legislation. Please explain the situation. If

no new tenancy was entered into, please send the Notice to Quit document that is required for an application under Rule 65.

- (3) You have not provided an AT6 notice. Please do so now together with proof how and when this was served on the tenant.
- (4) Please note the S 11 notice indicated proceedings relating to a Scottish Secure Tenancy under the Housing (Scotland) Act 2001. Please provide a S 11 notice that refers to the relevant legislation and evidence how and when this was given to the local authority.
- (5) The tenancy agreement shows that there are two joint tenants, James Wilkie and Helen Lindsay. The application is only made against Ms Lindsay. Please explain on what basis you consider such an application can be validly made.
- (6) The application is made by KLP. The title deeds show as the owner Mr Kevin Norris, who is also the landlord mentioned in the tenancy agreement. Please explain why you consider that the application can be made by an applicant who does not own the property and is not the landlord on the tenancy agreement.
- (7) Please provide your landlord registration.
- (8) Unless the above matters can be resolved, you may wish to consider taking legal advice, withdrawing the current application and making a fresh application when you have all the required and correct documents. The application in its current form would have to be rejected under rule 8 as incomplete and invalid. If you wish to withdraw the application, please do so in writing. Please provide the information no later than by 1 July 2026. Upon receipt of the information a Legal Member will consider your response and may seek further information from you before a decision is made on whether your application can proceed. In the absence of a response your application may be rejected without further notice.

3. No reply has been received.

4. 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 a detailed and comprehensive request by the Tribunal for further information and has therefore failed to cooperate with the Tribunal in the execution of its duties.

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