



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”)

Chamber Ref: FTS/HPC/CV/26/2626

Re: Property at 29 Dee Village, Millburn Street, Aberdeen, AB11 6LG (“the Property”)

Parties:

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 that it would not be appropriate to accept these applications received by the Tribunal on 10 June 2026.

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

Background

- 1** The Applicant applied to the Tribunal for a payment order against their former tenants under Rule 111 of the Rules and section 71 of the Private Housing (Tenancies) (Scotland) Act 2011. The application was received by the Tribunal on 10 June 2026.
- 2** In terms of the Rule 5(2) of the Rules, a Legal Member of the Tribunal with delegated powers from the Chamber President reviewed the application to assess whether it had been lodged in the required manner in terms of the mandatory requirements of Rule 111. Following said review the Tribunal wrote to the Applicant on 30 June 2026 in the following terms:-

“Before a decision can be made, we need you to provide us with the following:

Thank you for your recent application which has been reviewed by a Legal Member of the Tribunal with delegated powers of the President. Please provide the following further information:

1. *The Applicant is VPA Lettings. The Applicant should be the landlord. The landlord named on the tenancy agreement is Allison and Matthew Thomson. Please lodge an amended application.*
2. *You must provide an address for the Respondent. You may wish to instruct a tracing agent. If they are unable to identify a current address, you can seek permission to serve by advertisement on the tribunal website.*
3. *The tenancy agreement refers to two tenants. Please clarify whether the second tenant is to be a second Respondent. If so, lodge an amended application naming them and providing their address.*
4. *Please provide a statement of rent arrears showing the monthly sum due, the amount paid each month and the accumulating balance.*
5. *You have lodged copy bank statements. All documents lodged are copied to the Respondent. Please confirm whether you wish to withdraw the bank statements and lodge a redacted version.*

Please reply to this office with the necessary information by 14 July 2026. If we do not hear from you within this time, the President may decide to reject the application.”

- 3 On 2 July 2026 the Tribunal received an email from the Applicant requesting a discussion with the Tribunal administration via telephone. The Applicant advised that the situation was complicated and they had no way of finding out the former tenants’ address. The Applicant asked for guidance from the Tribunal. On 7 July 2026 the Tribunal wrote to the Applicant advising that it was unable to provide them with legal advice or guidance as an independent judicial body. The Tribunal directed the Applicant to details of advice services on the Tribunal’s website.
- 4 No further response was received from the Applicant. On 11 August 2026 the Tribunal wrote again to the Applicant requesting the information sought in the request of 30 June 2026 no later than 25 August 2026. The Applicant was advised that in the absence of a reply the application may be rejected.
- 5 No response has been received from the Applicant as at the date of this decision.

Reasons for decision

- 6 The Legal Member determined to refuse the application in terms of Rule 8(1)(c) of the Rules, 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.*”
- 7 The application in its current form does not comply with the mandatory requirements of rule 111 of the Rules. In terms of Rule 5(3) of the Rules, the Chamber President or a Legal Member with delegated powers from the

Chamber President, can request further documents from a party if an application does not meet the mandatory requirements for lodgement. The Tribunal has requested further information from the Applicant on two occasions and has directed them to seek legal advice if they have further queries. The Applicant has therefore been given the opportunity to address the outstanding matters. The Legal Member considers that the Applicant's failure to provide the information and cooperate with the Tribunal constitutes good reason to reject the application.

- 8 The Legal Member therefore determined to reject the application under Rule 8(1)(c) of the Rules.

Right of Appeal

In terms of Section 46 of the Tribunal (Scotland) Act 2014, a party aggrieved by the decision of the Tribunal 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.

Ruth O'Hare

Legal Member/Chair

7 October 2026

Date