



**Decision Under Rule 8(1)(c) of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 (“the Rules”) by a Legal Member with delegated powers from the Chamber President**

Case reference FTS/HPC/PR/24/2655

**Parties**

**Daniel Rannoch, Michelle Jean Mullane (Applicant)  
Elizabeth Morrissey (Respondent)**

**32A Queen Street, Edinburgh, EH2 1JX (House)**

1. By application received by the Tribunal on 10 June 2024 the Applicant sought a wrongful termination order under Rule 110 of the First Tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 (“the Rules”).
2. Following receipt of the application the Tribunal wrote to the Applicant by email on 8 July 2024 in the following terms:-

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

- *Applications under rule 110 apply to landlords, rather than letting agents. If you wish to proceed with a claim against your former landlord, you will have to provide an amended application form containing your former landlord’s details.*
- *Please explain the factual basis for the contention that the tenancy was wrongly terminated. Ground 1 was a valid ground of eviction at the time of service of the notice to leave. Is it your position that your former landlord did not and does not intend to sell the property? Please provide evidence in support of that.*

*Please reply to this office with the necessary information by 22 July 2024. If we do not hear from you within this time, the President may decide to reject the application.”*

3. The Applicant did not respond. The Tribunal wrote again to the Applicant by email on 16 August 2024 advising that if the information requested in the Tribunal’s email of 8 July 2024 was not provided by 30 August 2024 the Tribunal

would have no option but to reject the application. No further response was received from the Applicant.

4. Rule 8(1)(c) of the Rules allows an application to be rejected by the Chamber President if “they have good reason to believe that it would not be appropriate to accept the application”. The Applicant has failed to provide the information requested by the Tribunal which is required for the application to be considered under Rule 110. The Applicant has been asked for the information on two occasions and has been made aware of the consequence of a failure to respond. Accordingly in the absence of any further information from the Applicant it would not be appropriate to accept the application and the application must be rejected.

**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.

**Ruth O’Hare, Legal Member**  
**3 October 2024**