



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Rules 8(1) and 26 of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017.

Chamber Ref: FTS/HPC/CV/24/3939

Flat 1/2, 83 Pettigrew Street, Shettleston, Glasgow, G32 7XQ ("the Property")

Parties:

**East End Housing Development Co ("Applicant")
Daniel Friel ("Respondent")**

Tribunal Member: Ruth O'Hare (Legal Member)

Decision

The Tribunal rejects the application by the Applicant received by it on 26 August 2024 under Rule 8(1)(c) of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 ("the Rules").

Background

- 1 On 26 August 2024 the Applicant submitted an application to the Tribunal by email under Rule 111 of the Rules. The Applicant sought a payment order against the Respondent in respect of unpaid rent and rechargeable repairs.
- 2 On 24 September 2024 the Tribunal wrote to the Applicant by email requesting further information. In particular the Tribunal required the Applicant to provide a current address for the Respondent, or an application for service by advertisement, a copy of the tenancy agreement and evidence of the Applicant's ownership of the property.
- 3 The Applicant did not respond. On 12 November 2024 the Tribunal wrote again to the Applicant requesting the information sought in its previous email of 24 September 2024. The Applicant was warned that a failure to respond would likely result in the rejection of the application.
- 4 The Tribunal received no further response from the Applicant.

Reasons for Decision

- 5 The Legal Member considered the application in terms of the Rules and determined that the application should be rejected in terms of Rule 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.” The basis of the decision is that the Applicant has failed to provide the information requested by the Tribunal under Rule 5(3) of the Rules which is necessary to meet the required manner for lodgement. The Applicant has been asked for the information on two occasions. The Applicant has been warned that a failure to provide the information may result in the application being rejected. Accordingly the Legal Member has concluded that the application cannot be accepted in its current form and must be rejected under Rule 8(1)(c).

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: A party 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
7 January 2025