



**DECISION AND STATEMENT OF REASONS OF JAMES BAULD, LEGAL MEMBER OF THE  
FIRST-TIER TRIBUNAL WITH DELEGATED POWERS OF THE CHAMBERPRESIDENT**

Under Rule 8 of the First-tier Tribunal for Scotland Housing and Property Chamber Rules  
of Procedure 2017 ("the Procedural Rules")

in connection with

**Case reference FTS/HPC/EV/24/3411**

**Parties**

**Michael Davidson (Applicant)**

**Catherine Joyce, Thomas Joyce (Respondents)**

**Pure Property Management Edinburgh LTD (Applicant's Representative)**

**202 Pilton Avenue, Edinburgh, EH5 2LG (the property)**

1. The application was made under Rule 66 of the Procedural Rules being an application for an eviction order in connection with a short assured tenancy. The application was accompanied by supporting documentation
2. By way of email dated 4 October 2024 a request for further information was sent to the Applicant's representative. No response was received to that request
3. A second request for the further information was sent to the applicant's representative by way of letter and email dated 18 November 2024. No response was received to that request.

4. A third request for further information was sent on 31 December 2024.
5. The terms of that letter included the following:  
*“We refer to our emails to you of 4 October 2024 and 18 November 2024 seeking further information, and to which we have received no response. You are being given one final opportunity to provide the information requested and you must do so by 14 January 2025, failing which your application will be rejected. Please reply to this office with the necessary information by 14 January 2025”.*
6. No response has been received to that request.

## DECISION

7. The circumstances in which an application is to be rejected are governed by Rule 8 of the Chamber Procedural Rules. That Rule provides:

*“Rejection of application*

*8. —(1) The Chamber President or another member of the First-tier Tribunal under the*

*delegated powers of the Chamber President, must reject an application if –*

- (a) they consider that the application is frivolous or vexatious;*
- (b) the dispute to which the application relates has been resolved;*
- (c) they have good reason to believe that it would not be appropriate to accept the application;*
- (d) they consider that the application is being made for a purpose other than a purpose specified in the application; or*
- (e) the applicant has previously made an identical or substantially similar application and in the opinion of the Chamber President or another member of the First-tier Tribunal, under the delegated powers of the Chamber President, there has been no significant change in any material considerations since the identical or*

*substantially similar application was determined.*

*(2) Where the Chamber President, or another member of the First-tier Tribunal, under the delegated powers of the Chamber President, makes a decision under paragraph (1) to reject an application the First-tier Tribunal must notify the applicant and the notification must state the reason for the decision."*

8. After consideration of the application, the further information referred to and correspondence from the Applicant, the Legal Member considers that the application should be rejected on the basis that it would not be appropriate to accept the application within the meaning of Rule 8(1)(c) of the Procedural Rules.

## REASONS FOR DECISION

9. Three requests were made for further information from the Applicant. This additional information requested was necessary to allow the application to proceed. The applicant was informed that the additional information was essential to allow further progress of the application and was warned that failure to respond may lead to the application being rejected.
10. In the absence of any response by the Applicant, it would not be appropriate to accept the application and accordingly it is rejected.

**What you should do now**

If you accept the Legal Member's decision, there is no need to reply.

If you disagree with this decision:

An applicant aggrieved by the 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 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. Information about the appeal procedure can be forwarded to you on request.

# J Bauld

Mr James Bauld

Legal Member

14 February 2025