

Housing and Property Chamber

First-tier Tribunal for Scotland



Decision with Statement of Reasons of Karen Moore, Legal Member of the First tier Tribunal with delegated powers of the Chamber President of the First-tier Tribunal for Scotland (Housing and Property Chamber), under Rule 8 of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”)

Case reference FTS/HPC/EV/25/1110

Parties

Skye Property Limited, Company (Applicant)
Corbett and Shields (Applicant’s Representative)

101C Dempster Street, Greenock, PA15 4ED (House)

Tribunal Member:

Karen Moore (Legal Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the application should be dismissed on the basis that it would not be appropriate to accept the application in terms of Rule 8(1)(c).

Background

1. The application was received by the Tribunal under Section 51 of the Private Housing Tenancies) (Scotland) Act 2016 and Rule 109 of the Tribunal Rules on 12 March 2025.
2. The application was considered by the Tribunal and found to be incomplete and that it did invalid in respect of the statutory process. The Applicant’s Representative was contacted by email on 8 and 30 April both 2025, setting out the information and documentation required to make the application compliant and to allow the application to proceed. The Applicant’s Representative was advised that if the information and documentation was not submitted the application was likely to be rejected. No information and documentation was submitted.

Reasons for Decision

3. The Tribunal considered the application in terms of 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;· (c) they have good reason to believe that it would not be appropriate to accept the application; (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."

4. The Tribunal cannot grant the application if it is incomplete and does not conform to the Tribunal Rules. The Tribunal considers that there is good reason why the application cannot be accepted. Accordingly, the application is rejected.

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.