



**DECISION AND STATEMENT OF REASONS OF JOSEPHINE BONNAR,
LEGAL MEMBER OF THE FIRST-TIER TRIBUNAL WITH DELEGATED
POWERS OF THE CHAMBER PRESIDENT**

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

Case Reference: FTS/HPC/PR/25/0264

87 Merton Drive, Glasgow ("the property")

Laura Lough, 116 Merton Drive, Glasgow ("the Applicant")

1. The Applicant lodged an application for a wrongful termination order in terms of Rule 110 of the Procedure Rules and Section 58 of the Private Housing Tenancies (Scotland) Act 2016 ("the 2016 Act"). No documents were submitted with the application.
2. The Tribunal issued a request for further information. The Applicant was directed to provide a fully completed application form, a copy of her tenancy agreement and a copy of the Notice to leave and/or eviction order. She was also asked to explain the circumstances which led to her vacating the property. The Applicant responded with documents in a zipped file. She was notified that these required to be submitted in a different format but did not respond. Two further requests for information and documents have been issued, with no response from the Applicant.

Decision

3. After consideration of the application the Legal Member considers 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."

Reasons for decision

4. Rule 5 of the Procedure Rules states that an application "is held to have been

made on the date that it is lodged if, on that date, it is lodged in the manner as set out in..." the relevant Rule. In terms of Rules 5(2) and (3) the Chamber President or a Member with delegated powers must assess whether the "mandatory requirements for lodgement have been met" and "may request further documents".

5. The application was lodged in terms of Rule 110. This Rule requires an Applicant to provide "evidence showing that the tenancy was unlawfully terminated". The Applicant failed to provide evidence that the tenancy was unlawfully terminated. She has also failed to provide a copy of her tenancy agreement, and a copy of either a Notice to leave or an eviction order. The Applicant has also failed to provide the information and documents required when directed to do so in terms of Rule 5(2) and (3) of the Procedure Rules
6. The Applicant has failed to comply with Rules 5 and 110 of the Procedure Rules. In the circumstances, the Legal Member is satisfied that there is good reason to believe that it would not be appropriate to accept the application. The application is rejected on that basis.

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 Bonnar

Josephine Bonnar, Legal Member
15 July 2025