



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

Case reference FTS/HPC/EV/25/2064

Parties

Mr Charles Stewart, Mrs Maureen Stewart (Applicant)

24 Ramsay Place, Johnstone, PA5 0EX (House)

Tribunal Member: Jacqui Taylor (Legal Member)

The Tribunal rejects the application by the Applicant received by the Tribunal on 31st January 2025, being an application for eviction under the Private Housing (Tenancies) (Scotland) Act 2016.

1. The Applicant made an application to the Tribunal for eviction dated 9th May 2025. The Grounds of Eviction were Ground 12 of Schedule 3 of the Private Housing (Tenancies) (Scotland) Act 2016.

2 The Tribunal administration sent an email to the Applicant dated 15th June 2025 which advised the Applicant that before the application can be accepted the Tribunal require a copy of a valid section 11 notice together with evidence of service on the local authority and a rent statement detailing the rent arrears.

3. The Tribunal administration sent a further email to the Applicant dated 31st July 2025 which advised that the Tribunal had noted that an eviction order had been granted on 7th July 2025 in respect of this tenancy under case reference EV.24.4803. The Tribunal requested confirmation that this application can now be treated as withdrawn and advised that in the absence of a response the application will likely be rejected.

4. The Tribunal did not receive a response to the emails dated 15th June 2025 and 31st July 2025.

5. Decision.

The Tribunal have good reason to believe that it would not be appropriate to accept the application and reject the application in terms of rule 8 (1)(c) of the Tribunal Rules as the application is superfluous as the eviction order has already been granted.

6. 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.

Jacqui Taylor

.....Legal Member

Date: 25th August 2025