



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 51(1) of the Private Housing
(Tenancies) (Scotland) Act 2016**

Chamber Ref: FTS/HPC/EV/25/1367

Re: Property at 43 Coathill Street, Coatbridge, ML5 4DU (“the Property”)

Parties:

John Clarkson (“the Applicant”)

At Glasgow on 7 November 2025, Mary-Claire Kelly a legal member of the First-tier Tribunal, “the Tribunal” with delegated powers of the Chamber President, rejected the above application in terms of Rule 8(1)(c).

1. By application dated 31 March 2025 the applicant seeks an order for eviction in terms of section 51(1) of the Private Housing (Tenancies) (Scotland) Act 2016
2. The notice to leave that accompanied the application was incomplete as it did not specify a date when an application could be made to the Tribunal. Following receipt of the application the Tribunal wrote to the applicant on 17 April 2025 requesting the applicant provide submissions as to how the application could competently proceed as the notice to leave appeared to be invalid.
3. A response was received from the respondent on 25 April 2025 however it did not resolve the issue of the validity of the notice to leave. The Tribunal wrote again to the respondent on 27 May 2025, 17 July 2024 requesting further submissions regarding the notice to leave and seeking other evidence to establish the grounds the applicant sought to rely upon.
4. On 11 August 2025 the respondent submitted a fresh application form specifying ground 12 (rent arrears for 3 or more consecutive months). The application sought rely on the previously submitted notice to leave.

5. On 12 August 2025 the Tribunal wrote again to the respondent requesting that he address the fact that the notice to leave did not specify that ground 12 would be relied upon and also the previous issues raised in relation to the validity of the notice to leave, namely that it was not in the correct format, did not contain the correct information at part 4 and was not accompanied by evidence of valid service. No response was received. The Tribunal sent a reminder email dated 2 October 2025 advising the applicant that if the information was not provided within 14 days the application would be rejected. No response was received.
6. Rule 8(1)(c) states that the Chamber President must reject an application if they have good reason to believe that it would not be appropriate to accept it. The present application is incomplete. Documents necessary to establish the competency of the application have been requested and not provided. The applicant has failed to respond to reasonable requests by the Tribunal for further information. The applicant has failed to cooperate with the Tribunal in the execution of its duties.
7. The application is rejected as there is good reason to believe that it would not be appropriate to accept it.
8. It is open to the applicant to resubmit the application with the correct supporting information.

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.

M.C Kelly

Legal Member/Chair

– 7 November 2025 _____
Date