



Decision and statement of Reasons of the First Tier Tribunal (Housing and Property Chamber)

Under Rule 8 of the First Tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 ‘the Rules’.

In respect of application by Ms Louise Milne in terms of rule 109 of the Rules.

Case reference FTS/HPC/EV/25/3899

At Glasgow on the 12 November 2025, Lesley Anne Ward, 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) of the Rules

1. This is an application by Ms Louise Milne, the owners of the property at 25B Prospect Terrace Aberdeen AB117TB (‘the property’) for eviction in terms of rule 109 of the Rules. The application was dated 8 September 2025 and received by the Tribunal on 12 September 2025.
2. The in-house convenor reviewed the application and the Tribunal wrote to the Applicant on 7 October 2025 seeking further information as follows:

the Chamber President who has raised the following matters:

Your email of 10 September enclosing your application form indicates that you are looking for advice on how to proceed with this application. The tribunal is an independent judicial body and cannot provide advice to applicants.

In your application form you indicate that the tenancy that you created started after 1 December 2017. If that is the case the tenancy will be a private residential tenancy governed by the terms of the Private Housing (Tenancies) (Scotland) Act 2016 (“the 2016 Act”).

If you are seeking an eviction order in terms of the 2016 Act, then you required to provide the tribunal with a copy of the tenancy agreement, a copy of the Notice to Leave which you have served upon your tenant together with evidence of service and evidence supporting the ground for eviction that you are using The Notice to Leave must comply with the requirements set out in the 2016 Act.

You also must provide a copy of the notice which is required to be given to the local authority under section 11(3) of the Homelessness etc. (Scotland) Act 2003 together with evidence of the method and date on which that was given to the local authority.

The documents which you have submitted do not appear to satisfy the relevant provisions of the legislation. At present your application cannot proceed.

Are you able to provide any of these documents? The tribunal would suggest that you may find it useful to seek independent legal advice on this application, the matters contained in this letter and any further action which you wish to take. There is a section of the tribunal website which contains information and links to advice agencies and sources of independent advice.

Further queries may arise upon receipt of your reply. Upon receipt of the above information, a final decision can then be taken on whether the application is re valid and whether it should be accepted and referred to the tribunal for full determination.

Please respond to this letter within the next two weeks. If you fail to respond to this letter, then the tribunal may reject your application. You should be aware that the Tribunal has the power to reject applications on grounds set out in rule 8 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017.

3. No reply has been received.
4. I have reviewed this application today and I have decided to reject it. in terms of Rule 8(c) of the rules I have good reason to consider that it would not be appropriate to accept this application as the application is incomplete. The Applicant has failed to respond to the Tribunal's detailed email of 20 September 2025 and she has failed to cooperate with the Tribunal in the execution of its duties

NOTE: What you should do now.

If you accept this decision there is no need to reply.

If you disagree with this decision you should note the following:

An Applicant aggrieved by this 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 seek permission to appeal within 30 days of the date the decision was sent them. Information about the appeal procedure can be forwarded on request.

Lesley Ward

Lesley Anne Ward

Legal Member