



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/CV/25/2068

Parties

Mr Maqsoud Ahmed (Applicant)
Property Angels (Applicant’s Representative)
46 Bellvue Way, Coatbridge, ML5 4FE (House)

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 on 14 May 2025 under Rule 111 of the Tribunal Rules and Section 71 of the Private Housing (Tenancies) (Scotland) Act 2016 (“the 2016 Act”).

2. The application was considered by the tribunal and found to be defective as it did not comply with Rule 111 of the Tribunal Rules. The Applicant's Representative was contacted by email on 12 June 2025 which email set out the following information and documentation which is required to allow the application to proceed: a copy of the tenancy agreement, evidence to show the rent increase was properly notified; a rent statement without an opening balance; a mandate from the Applicant authorising the Applicant's Representative to act. The email warned that a failure to reply by 26 June 2025 might mean that the application would be rejected.
3. Applicant's Representative did not respond with the necessary information and a further email was sent on 18 July 2025 requesting that the information be lodged by 1 August 2025 or the application might be rejected. By email dated 19 August 2025, the Applicant's Representative submitted a copy of the tenancy agreement and copy documents in respect of the rent increase. The email stated that the Applicant's Representative could not produce the rent statement as required and that the mandate from the Applicant was awaited.
4. By email dated 1 September 2025, the tribunal wrote to the Applicant's Representative as follows:

"1. Please clarify the entitlement of the Applicant to raise the proceedings. The application form states that the Applicant is Maqsoud Ahmed. The tenancy agreement states that the landlord is Mr. Marsoud. 2. With regard to your covering letter, please explain what you mean by "We are not able to provide a rent statement without an opening balance as this is how we took on the property from the landlord." The tenancy agreement shows that it was your company which entered into the agreement on 22 March 2022. 3. Please submit your authority to act. 4. The rent increase notice you have sent is an illegible line from a printout. Please submit the proper rent increase notices."

The email warned that failure to respond by 15 September 2025 might mean the application was likely to be rejected.

5. By email dated 8 September 2025, the Applicant's Representative requested an extension to the timescale set in the tribunal's email of 1 September 2025 due to ill-health. On 1 October 2025, the Applicant's Representative was advised that they could have until 8 October 2025 to respond. By email dated 9 October 2025, the Applicant's Representative requested a further an extension to the timescale due to continuing ill-health. By email dated 10 October 2025, the tribunal wrote: *"the Tribunal will allow one final extension of 21 days for the information to be provided, failing which the application will have to be rejected. Please respond by 31 October 2025"*. No response was received.

Reasons for Decision

6. 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."*
7. The Tribunal cannot grant the application if it is incomplete and does not conform to the Tribunal Rules. As the Applicant's Representative on behalf of the Applicant has been given clear information on the defects in the application and has failed to correct the defects, and, as she has been given fair notice that failing to do so would mean that the application would be rejected, the Tribunal considers that there is no prospect of the application being acceptable in terms of the Tribunal Rules. Accordingly, there is good reason to believe that it would not be appropriate to accept the application and so 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.

**Karen Moore
Legal Member**

3 November 2025