



**DECISION AND STATEMENT OF REASONS OF ALISON KELLY, 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 Rules")**

in connection with

G/2, 20 Isla Street, Dundee, DD3 7HT ("the Property")

Case Reference: FTS/HPC/EV/25/2276

Mairi Murray, Patrick Murray ("the Applicant")

1. The application was made on 24th May 2025, under Rule 109 of the Procedural Rules being an application for eviction. The Applicant stated the ground of eviction as Ground 12 of Schedule 3 of the Private Housing (Tenancies)(Scotland) Act 2016. The Tribunal made, over the course of a few months, requests for further information on five separate occasions. The Applicant's agent responded to four of those requests but did not provide the information required to let the case proceed.
2. On 3rd November 2025 the Tribunal write to the Applicant's agent giving 14 days to respond to previous requests and advising that if no response was received the application would be rejected. No response was received.

DECISION

3. The circumstances in which an application is to be rejected are governed by 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;

(b) the dispute to which the application relates has been resolved;

(c) they have good reason to believe that it would not be appropriate to accept the application;

(d) they consider that the application is being made for a purpose other than a purpose specified in the application; or

(e) the applicant has previously made an identical or substantially similar application and in the opinion of the Chamber President or another member of the First-tier Tribunal, under the delegated powers of the Chamber President, there has been no significant change in any material considerations since the identical or substantially similar application was determined.

(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."

- 4. After consideration of the application, the further information referred to and correspondence from the Applicant, the Legal Member considers that the application should be rejected on the basis that it would not be appropriate to accept the application within the meaning of Rule 8(1)(c) of the Procedural Rules.**

REASONS FOR DECISION

5. The Applicant has not provided the information required to allow the case to proceed to a Case Management Decision and accordingly the application falls to be rejected.

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.

Alison Kelly
Legal Member
8th December 2025