



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 Mr Alexander Miller of The Property Place (Falkirk) Limited in terms of rule 109 of the Rules.

Case reference FTS/HPC/EV/25/4357

At Glasgow on the 10 December 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 Mr Alexander Miller of The Property Place (Falkirk) Limited, the owners of the property at 24 Teviot Street Falkirk FK1 5HY, (‘the property’) for eviction in terms of rule 109 of the Rules. The application was made on his behalf by Mr Richard Sandeman of Sandemans Solicitors. It was received by the Tribunal on 9 October 2025.
2. The in-house convenor reviewed the application and the Tribunal wrote to the applicant’s representative on 6 November 2025 seeking further information as follows:

A legal member of the tribunal has reviewed your application. You have applied under rule 109. An application under rule 109 must be made by the landlord. The title deeds and landlord registration indicate that the applicant is not the landlord. Please explain the legal basis upon which the applicant has authority to make the application, or submit an amended Form E with the landlord’s details. Please also provide the following documents:-

- (1) A copy of the tenancy agreement
- (2) A copy of the notice to leave
- (3) Evidence that the section 11 notice was sent to the local authority
- (4) An amended Form E which states at section 5 the eviction ground under schedule 3 of the Private Housing (Tenancies) (Scotland) Act 2016
- (5) A rent statement in a table that shows the rent due date, rent due, payments received and a running balance of arrears dating back to when the arrears began to accrue.
- (6) Evidence of the landlord’s compliance with the rent arrears pre-action protocol.

Please reply to this office with the necessary information by 20 November 2025. If we do not hear from you within this time, the President may decide to reject the application. If you require any further information, please contact us, quoting your reference number.

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's representative has failed to respond to the Tribunal's detailed email of 6 November 2025 and has therefore 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