



**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/PR/25/3423**

**Parties**

**Miss Abbey Sandbergen (Applicant)**

**45 Picardy Court, Rose Street, Aberdeen, AB10 1UG (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 under Rule 81 on 11 August 2025.
2. The application was considered by the Tribunal. The statement accompanying the application set out that the Applicant is a tenant who seeks to have a fresh rent increase notice issued and seeks to have the rent amended.
3. By email dated 29 August 2025, the Applicant was advised as follows: *“The application form has been reviewed by a Legal Member of the Tribunal with*

*delegated powers of the President. The application form states that it proceeds under Rule 81. Please note that this rule applies to applications by Landlords seeking to amend rent increase forms. In light of the other information in your application this does not appear to apply. Please confirm the rule you seek to rely on. Please note that initial challenges regarding rent increase notices should be made to Rent Service Scotland. The Tribunal considers appeals against decision of the Rent Officer. You may wish to seek legal advice in relation to the points raised."* The Applicant was asked to reply by 12 September 2025.

4. The Applicant did not reply, and a reminder was sent to her on 29 October 2025. The Applicant replied to the reminder on that date stating: *"Sorry, I thought I had replied to that email! My letting agency told me to contact yourselves and the website had a huge list of rules and applications. I asked the letting agency which one to do and they specifically told me which rule/application to do so that's what I did. Sorry if that's not right, I've just done exactly what they told me to do. I'll email them tonight to update them on your response and see what they say."* The Applicant did not correspond further.

### **Reasons for Decision**

5. 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."*
6. Rule 81 of the Rules states: Where a landlord makes an application under section 32(4) (notices of increase) of the 1984 Act, the application must (a)state

(i)the name, address and registration number (if any) of the landlord;(ii)the name, address and profession of any representative of the landlord;(iii)the name and address of the tenant; and(iv)the reasons for seeking amendment to the notice of increase;(b)be accompanied by a copy of the rent increase notice; and (c)be signed and dated by the landlord or a representative of the landlord.”

7. As outlined to the Applicant in the Tribunal's email of 29 August 2025, Rule 81 Is not competent for the circumstances set out in the application and the Tribunal does not have jurisdiction in respect of tenant's disputing or taking issue with rent increase notice. Accordingly, the Tribunal cannot grant the application

8. Therefore, the Tribunal considers that there is good reason why the application cannot be accepted 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.**

# K. Moore

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**Legal Member**

**19 November 2025**  
**Date**