

**Decision with Statement of Reasons of H Forbes, 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 Rules of Procedure 2017 ("the Rules")**

**Chamber Ref: FTS/HPC/EV/25/4557**

**Re: 2/2, 51 Love Street, Paisley, PA3 2DZ ("the Property")**

**Parties:**

**Bashir Ahmed ("the Applicant")**

**Tribunal Member:**

**H Forbes (Legal Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined that the application should be rejected on the basis that the application is frivolous in terms of Rule 8(1)(a) of the Procedural Rules and the Tribunal has good reason to believe it would not be appropriate to accept the application in terms of Rule 8(1)(c) of the Procedural Rules.**

**Background**

1. The application form was received by the Tribunal under Rule 109 on 20<sup>th</sup> October 2025. No documentation was lodged with the application.
2. The application was considered by a Legal Member with the delegated authority of the Chamber President. Further information was requested from the Applicant as follows:
  1. Please clarify whether the address of the property is 51 or 57 Love Street.
  2. Please provide a copy of the tenancy agreement.
  3. Please provide a copy of the notice to leave served on the Respondent and evidence of it having been served such as the royal mail proof of delivery.
  4. Please provide a copy of the section 11 notice sent to the local authority and evidence of it having been sent such as the covering email.

5. Please provide evidence in support of the ground for eviction referred to in the notice to leave. You appear to rely on ground 4 – landlord intends to live in the property. Evidence supporting that ground may include an affidavit from the landlord. You also refer to rent arrears. If ground 12 was referred to in the notice to leave please provide a statement of rent arrears.
3. The Applicant failed to provide the information sought, despite repeated requests.
4. The Applicant was informed by letter dated 30<sup>th</sup> December 2025 that a failure to provide the requested information by 13<sup>th</sup> January 2026 was likely to result in rejection of the application. No response was received.

## 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. On consideration of the above test, the Tribunal considers that this application is frivolous, and there is good reason to believe it would not be appropriate to accept the application.

## Reasons for Decision

7. Rule 109 requires that an application be accompanied by:
  - (i) Evidence showing that the eviction ground or grounds has been met.
  - (ii) A copy of the notice to leave given to the tenant as required under section 52(3) of the Private Housing (Tenancies) (Scotland) Act 2016 ("the 2016 Act").

- (iii) A copy of the notice given to the local authority as required under section 56(1) of the 2016 Act.
- 8. An application cannot be accepted without the above documentation. The Applicant has failed to provide this documentation despite being afforded repeated opportunities to do so.
- 9. The application is frivolous and it would not be appropriate to accept the application. 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.**

Helen Forbes

Legal Member/Chair



**th February 2026**  
**Date**