



**DECISION AND STATEMENT OF REASONS OF MARTIN J. MCALLISTER,
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
01/33 Dalmarnock Drive, Glasgow, G40 4LQ
("the Property")**

Case Reference: FTS/HPC/RP/25/4749

Roisin Quinn ("the Applicant")

Glenbervie Ltd t/a Shanta Letting Ltd ("the Respondent")

1. On 3 November 2025, the Tribunal received an application from the Applicant in terms of Section 22 (1) of the Housing (Scotland) Act ("the 2006 Act").
2. On 9 December 2025, the Applicant was asked to provide the Respondent's address. She was also asked to provide evidence that she had notified her landlord about the concerns she had about the condition of the Property and the need for repairs. No response was received and a reminder was sent to the Applicant on 24 December 2026.
3. The Applicant has submitted no response to the request for further information.

DECISION

4. The Legal Member considered the application in terms of Rule 5 and Rule 48 of the Rules. Rule 5 provides: - (1) An application is held to have been made

on the date that it is lodged if, on that date, it is lodged in the manner as set out in rules 43, 47 to 50, 55, 59, 61, 65 to 70, 72, 75 to 91, 93 to 95, 98 to 101, 103 or 105 to 111, as appropriate. (2) The Chamber President or another member of the First-tier Tribunal, under the delegated powers of the Chamber President, must determine whether an application has been lodged in the required manner by assessing whether all mandatory requirements for lodgment have been met. (3) If it is determined that an application has not been lodged in the prescribed manner, the Chamber President or another member of the First-tier Tribunal, under the delegated powers of the Chamber President, may request further documents and the application is to be held to be made on the date that the First-tier Tribunal receives the last of any outstanding documents necessary to meet the requirement manner for lodgment. “

- 5. After consideration of the application the Legal Member considers that the application should be rejected in terms of Rule 8(1) (c) which states that an application must be rejected if the Tribunal has “good reason to believe that it would not be appropriate to accept the application.” The basis of the decision is that the Applicant has failed to comply with Rule 5, Rule 48 and Section 22(3) of the 2006 Act.**

REASONS FOR DECISION

6. The Tenant’s application is in terms of Section 22(3) of the 2006 Act and Rule 48 of the Rules. Section 22(3) states that no application may be made unless the person making the application has notified the landlord that work requires to be carried out for the purpose of complying the duty to maintain the property in terms of Section 14 (1) (b) of the 2006 Act. Rule 48 (b) states that an application must be accompanied by the notification referred to.
7. The Tenant has failed to provide the information and documents required by Rule 48 of the Rules and Section 22(3) of the 2006 Act. The Applicant has also failed to comply with Rule 5 of the Rules. The Legal Member therefore determines that the application cannot be accepted. The application is rejected on that basis.

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.

M McAllister

Martin J. McAllister, Legal Member
5 February 2026