



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 Finesse Property in terms of rule 109 of the Rules.

Case reference FTS/HPC/EV/25/5215

At Glasgow on the 30 January 2026, 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 Ross McNally of Finesse Properties, for eviction, in terms of rule 109 of the Rules. It was received by the Tribunal on 4 December 2025.
2. The in-house convenor reviewed the application and the Tribunal wrote to the applicant on 18 December 2025 seeking further information as follows:

Thank you for your recent application which has been reviewed by a Legal Member of the Tribunal with delegated powers of the President. Please provide the following further information :

- (1) Title to the property is held by Paul McCandlish. The registered landlord for the property is Ross McNally, who is also the applicant although the name “Finesse Property” has been added. Please clarify the basis on which the applicant has title to make this application if he does not own the property.
- (2) Please provide a copy of the tenancy agreement.
- (3) Please provide evidence of service of the notice to leave such as sheriff officer certificate of service or royal mail proof of delivery by recorded delivery post.
- (4) In terms of section 62 of the Private Housing (Tenancies)(Scotland) Act 2016 a notice to leave must meet certain requirements including all requirements prescribed by the Scottish Ministers in the Private Residential Tenancies (Prescribed Notices and Forms) (Scotland) (Regulations) 2017. The notice to leave which you have

lodged does not fulfil those requirements. You should provide a notice to leave in the required format that was served on the Respondent or consider withdrawing your application.

(5) Please provide a copy of the section 11 notice and evidence of it having been sent to the local authority such as the covering email. Please reply to this office with the necessary information by 1 January 2026. If we do not hear from you within this time, the President may decide to reject the application.

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 and it is not clear that the applicant has title and interest to make the application and the notice to leave appears invalid. The applicant has failed to respond to the Tribunal's detailed email of 18 December 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 Anne Ward

Legal Member