

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/PR/25/4929

Re: 70, 1 Donaldson Drive, Edinburgh, EH12 5FA ("the Property")

Parties:

Kristofer Linton-Reid ("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 was received by the Tribunal under Rule 103 on 14th November 2025 with associated documents. The documents lodged with the application were lodged in a format that could not be accessed by the Tribunal administration.
2. The documents were sought repeatedly from the Applicant. No response was received from the Applicant.
3. By email dated 3rd February 2026, the Applicant was provided with a final opportunity to provide the outstanding documentation, failing which the application would be rejected. The Applicant was also informed that the application would become time-barred on 12th February 2026 and was invited to respond by 11th February 2026. The Applicant did not respond.

Decision

4. 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."

5. On consideration of the above test, the Tribunal considers that this application is frivolous, misconceived and has no prospect of success. The Tribunal also determined that the application should be rejected in terms of Rule 8(c) on the basis that there is good reason to believe it would not be appropriate to accept the application.

Reasons for Decision

6. Rule 103 provides that an application must be accompanied by a copy of the tenancy agreement if available and evidence of the end date of the tenancy if available. Rule 5 provides that an application is held to have been made on the date it is lodged if it is lodged in the manner set out in the Rules. If it has not been lodged in the manner set out in the Rules, the Tribunal may request further documents and the application is to be held to be made on the date that the Tribunal receives the last of any outstanding documents necessary to meet the required manner for lodgement. The Applicant has failed to lodge the application in the manner set out in the Rules.
7. The application is frivolous and there is good reason to believe 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

24th February 2026
Date