



DECISION AND STATEMENT OF REASONS OF FIONA WATSON, 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

174 (2F2) Albert Street, Edinburgh, EH7 5NA ("the Property")

Case Reference: FTS/HPC/EV/25/3965

Hameeda Begum Majid, 61 Jean Armour Avenue, Liberton, Edinburgh, EH16 6XD ("the Applicant")

174 (2F2) Albert Street, Edinburgh, EH7 5NA ("the Respondent")

1. The Applicant seeks a repossession order in terms of Rule 109 of the Rules. The Applicant lodged the following documents:
 - (i) Signed application form
 - (ii) Copy Notice to Leave
 - (iii) Post Office delivery receipt

DECISION

2. The Legal Member 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;

(b) the dispute to which the application relates has been resolved;

(c) they have good reason to believe that it would not be appropriate to accept the application;

(d) they consider that the application is being made for a purpose other than a purpose specified in the application; or

(e) the applicant has previously made an identical or substantially similar application and in the opinion of the Chamber President or another member of the First-tier Tribunal, under the delegated powers of the Chamber President, there has been no significant change in any material considerations since the identical or substantially similar application was determined.

(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.

3. After consideration of the application and the documents submitted by the Applicant in support of same, the Legal Member considers that the application should be rejected on the basis that it would not be appropriate to accept the application within the meaning of Rule 8(1)(c) of the Rules.

Reasons for Decision

4. An email was sent to the applicant on 23 October 2025 seeking further information from the Applicant summarised as follows:
 - (i) A copy of the tenancy agreement and clarity on whether the tenant occupied a single room in a shared property;
 - (ii) Copy notice as required under s11(3) of the Homelessness etc. (Scotland) Act 2003 together with evidence of service;

- (iii) The application from does not specify the grounds upon which the eviction order is sought. The Applicant was asked to clarify the grounds they wish to use which should be grounds set out in the Notice to Leave (“NTL”) and should be grounds contained in the relevant schedule of the Private Housing (Tenancies) (Scotland) Act 2016. An updated form showing the grounds was requested;
 - (iv) Appropriate evidence supporting the ground or grounds upon which the Applicant seeks to rely as set out in the relevant schedule to the 2016 Act;
 - (v) A rent statement, if Ground 12 is relied upon;
 - (vi) Evidence of compliance with the Rent Arrears Pre-Action Requirements (Coronavirus) (Scotland) Regulations 2020.
6. This information was not provided and no response was received to the email. A letter was thereafter sent to the Applicant on 4 December 2026 again seeking this information. This letter was again not replied to.
7. An email was sent to the Applicant on 2 February 2026 requesting the information be provided within two weeks, failing which, the tribunal will have no option but to reject the application. This email was not replied to.
8. The application is therefore entirely lacking in specification as to the grounds of repossession being relied upon, any evidence to support such grounds, and the nature of the tenancy in place. Further, the tribunal cannot grant an order for repossession without out being satisfied that the terms of s11 of the said 2003 Act have been complied with. The Applicant has failed to cooperate with the tribunal in their reasonable requests for such information.
9. The Legal Member therefore determines that there is good reason to believe that it would not be appropriate to accept the application. 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.

Fiona Watson
Legal Member
9 March 2026