



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Rule 8(1)(c) of the First-tier Tribunal for Scotland (Housing and Property Chamber) Rules of Procedure 2017 (“the Rules”)

Chamber Ref: FTS/HPC/CV/25/4914

Re: Property at Main Door, 6 Dundonald Road, Dowanhill, Glasgow, G12 9LJ (“the Property”)

Parties:

Mr Robert Fee, Beechwood, 4 Eglinton Terrace, Skelmorlie, PA17 5ER (“the Applicant”)

Tribunal Members: Ruth O’Hare, Legal Member with delegated powers from the Chamber President

Decision

The Legal Member determined that there is good reason to believe that it would not be appropriate to accept this application received by the Tribunal on 17 November 2025.

The Legal Member therefore rejects the application under Rule 8(1)(c) of the Rules.

Background

- 1 This is an application under section 71 of the Private Housing (Tenancies) (Scotland) Act 2016 and Rule 111 of the Rules. The Applicant sought a payment order in respect of rent arrears arising from a private residential tenancy. The application was submitted on the Applicant’s behalf by their representative, Ivy Property.
- 2 In terms of Rule 5(2) of the Rules, a Legal Member of the Tribunal with delegated powers from the Chamber President reviewed the application to assess whether it had been lodged in the required manner. Following said review the Tribunal wrote to the Applicant’s representative by email on 3 December 2025 in the following terms:-

“The in-house convenor has reviewed the civil proceeding application. To enable it to be considered further please respond to the following within 14 days:

- 1. Please amend the application to include the correct property address and the amount you are seeking from the tribunal.*
- 2. Please provide a copy of the tenancy agreement.*

Please reply to this office with the necessary information by 17 December 2025. If we do not hear from you within this time, the President may decide to reject the application.”

- 3 The Tribunal did not receive a response from the Applicant’s representative. On 21 January 2026 the Tribunal wrote again to the Applicant’s representative by email advising that the application could not progress further without the information. The Tribunal asked the Applicant’s representative to provide the information no later than 4 February 2026, failing which it was likely that the application would be rejected without further notice.
- 4 The Tribunal has received no response from the Applicant’s representative, nor the Applicant, as at the date of this decision.

Reasons for decision

- 5 The Legal Member has determined that the application should be rejected in terms of rule 8(1)(c) of the Rules, 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”*.

- 6 Rule 111 is in the following terms:-

“111. Where a person makes any other application to the First-tier Tribunal by virtue of section 71(1) (First-tier Tribunal’s jurisdiction) of the 2016 Act, the application must—

- (a) state—*
 - (i) the name and address of the person;*
 - (ii) the name and address of any other party; and*
 - (iii) the reason for making the application;*
- (b) be accompanied by—*
 - (i) evidence to support the application; and*
 - (ii) a copy of any relevant document; and*
- (c) be signed and dated by the person.”*

- 7 The basis of the decision is the Applicant’s failure to provide the information required for an application under Rule 111. A copy of the tenancy agreement is a relevant document for the purposes of a claim for rent arrears. The Applicant has also failed to properly specify the details of the claim. The Applicant, via their representative, has been asked to provide further information on two occasions. They have been advised that their application may be rejected if

they do not respond. They have therefore been given the opportunity to address the outstanding matters.

- 8 The Legal Member has therefore determined that, based on the Applicant's failure to provide the information and cooperate with the Tribunal, it would not be appropriate to accept the application. The application does not in its current form comply with the mandatory requirements of Rule 111 and must therefore be 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.

Ruth O'Hare

25 February 2026

Legal Member/Chair

Date