



**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/25/4585**

**Re: Property at 3 Barrachnie Avenue, Glasgow, G69 6SR (“the Property”)**

**Parties:**

**Mr Drew Munro, Mrs Lorraine Munro, 1980 Calgary Court, Mississauga, Ontario, L5H4J1, Canada (“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 24 October 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, 1-2 Let (Lettings and Sales) Ltd.
- 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 18 November 2025 in the following terms:-

*“You have entered the address of the Respondent as unknown. The Tribunal must be able to serve the papers on the Respondent before an order can be*

*granted. Please either provide an address for the Respondent or submit a Service By Advertisement application (available on the Tribunal's website) accompanied by a non trace report from a Sheriff Officer.*

*Please reply within 28 days.”*

- 3 The Tribunal received no response from the Applicant’s representative. On 29 January 2026 the Tribunal wrote again to the Applicant’s representative by email in the following terms:-

*“We refer to the Tribunal’s request for information dated 18 November 2025, attached. We do not appear to have received a response from you.*

*Your application cannot progress further without an address for the Respondent or an application for service by advertisement accompanied by a negative trace report. If you fail to provide a response, it is likely that your application will be rejected.*

*We will allow you a final opportunity to provide the information. Please reply by **12 February 2026.**”*

- 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 This application has been made under Rule 111, which 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 Applicant has not provided the address of the respondent, nor an application for service by advertisement in the absence of same, which is a mandatory requirement under rule 111(a)(ii). The Applicant, via their representative, has been asked to provide this 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

**4 March 2026**

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**Legal Member/Chair**

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**Date**