



Decision with Statement of Reasons of Karen Moore, 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 (Procedure) Regulations 2017 (“the Rules”)

Case reference FTS/HPC/EV/25/4217

Parties

Mrs Gail Paterson (Applicant)

98 Calder Place, Hallglen, Falkirk, FK1 2QQ (“the Property”)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Application should be dismissed on the basis that it would not be appropriate to accept the Application in terms of Rule 8(1)(c).

Background

1. The Application was received by the Tribunal under Section 33 of the Housing (Scotland) Act 1988 and Rule 66 of the Rules on 2 October 2025.
2. The Application was considered by the Tribunal and further information was requested by emailed letters issued on 31 October 2025, 5 December 2025 and 22 January 2026. Each email set out that it appeared that the Applicant had not followed the correct statutory procedure and requested that the Applicant submit evidence to show that the correct statutory processes had been carried out. Each email warned that, if the Applicant could not submit the

evidence as required by Section 33 of the Housing (Scotland) Act 1988 and Rule 66 of the Rules, the Application must be rejected. The email of 22 January 2026 gave the date of 5 February 2026 to reply.

3. The Applicant failed to reply and failed to submit the documentation necessary for the Application to be accepted.

Reasons for 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. Rule 66 of the Rules provides that an Application for an eviction order must be accompanied by evidence that correct statutory processes have been carried out. In this case, the Applicant has failed to provide the required documentation. The Tribunal cannot grant the Application without this information.
6. The Tribunal consider that there is good reason why the Application cannot be accepted. Accordingly, 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.

Karen Moore

26 February 2026

Legal Member

Date