



**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

**306D London Road, Calton, G40 1PT ("the Property")**

**Case Reference: FTS/HPC/CV/25/5238**

**Craig Sherry, Farnells Cottage, Ongar Road, Stondon Massey, Brentwood,  
Essex, CM26 0LE ("the Applicant")**

1. The Applicant seeks a payment order in terms of Rule 70 of the Rules. The Applicant lodged the following document with their application form:
  - (i) Rent statement

**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's representative on 23 December 2025 seeking further information as follows:
  - (i) "Title to the property is in joint names. Please provide the consent of the joint applicant to the application being made.*
  - (ii) Please provide a copy of the tenancy agreement. This is referred to in the application but has not been lodged.*
  - (iii) Please provide a mandate from the Applicant confirming your authority to act*
  - (iv) Please provide evidence of landlord registration."*
6. This information was not provided and no response was received to the email. A further email was thereafter sent to the Applicant's representative on 3 February 2026 again seeking this information. Said email requested a reply by 17 February

2026 and stated “if we do not hear from you within this time, the President will reject the application.” This again was not replied to.

7. The Applicant has failed to cooperate with the tribunal in their reasonable requests for such information. Their failure to provide a copy of the tenancy agreement as requested, means that the contractual basis of the application is unknown.
8. 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