



Decision and statement of Reasons of the First Tier Tribunal (Housing and Property Chamber)

Under Rule 8 of the First Tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 ‘the Rules’.

In respect of application by Mr Ian Richard Willows in terms of Rule 66 of the Rules.

Case reference FTS/HPC/EV/26/1119

At Glasgow on the 13 April 2026, Lesley Anne Ward, legal member of the First –Tier Tribunal ‘the Tribunal’ with delegated powers of the Chamber President, rejected the above application in terms of Rule 8(1)(a) and (c) of the Rules.

1. This is an application by Mr Ian Richard Willows, ostensibly for eviction in terms of rule 66.
2. I have reviewed this application as in house convenor and I had decided to reject it. The application appears to be in terms of rule 66 but no tenancy agreement or AT5, notice to quit or section 33 notice has been provided. The application appears to refer to eviction grounds relating to the Housing (Scotland) Act 1988, which would suggest that rule 65 was applicable, rather than rule 66. However no AT6 has been provided. The applicant has provided a notice to leave which would suggest that the Private Housing (Tenancies)(Scotland) Act 2016 and rule 109 was applicable, but no further information has been provided.
3. Rule 8(1)(a) of the Rules allows an application to be **rejected** by the Chamber President if **“they consider that an application is vexatious or frivolous”**. “Frivolous” in the context of legal proceedings is defined by Lord Justice Bingham in R-v- North West Suffolk (Mildenhall)Magistrates Court (1998) Env.L.R.9. At page 16 he states:- “What the expression means in this context is, in my view, that the court considers the application to be futile, misconceived, hopeless or academic”.
4. I consider that this application is hopeless as it makes no sense whatsoever.
5. Further in terms of rule 8(1)(c) of the Rules the Chamber President must reject an application if they have good reason to believe it would not be appropriate to accept it. The application is at best, incomplete. There are three

possible rules that the application could proceed under, and it is for the applicant to provide a valid application under the correct rule number.

6. For the foregoing reasons the application is rejected. It is open to the applicant to resubmit the application under the applicable rule and with the supporting information required under that rule.

NOTE: What you should do now.

If you accept this decision there is no need to reply.

If you disagree with this decision you should note the following:

An applicant aggrieved by this 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 seek permission to appeal within 30 days of the date the decision was sent them. Information about the appeal procedure can be forwarded on request.

L Ward

Lesley Anne Ward

Legal Member