



**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

59 INGLEWOOD STREET, LIVINGSTON, EH54 5BE ("the Property")

Case Reference: FTS/HPC/CV/25/3460

Yanchao Yu, 1 Harebell Road, Alloa, FK10 3FL ("the Applicant")

1. The Applicant submitted an application under Rule 111 of the Rules. The application sought an order for payment in the sum of £3,794.52 in respect of unpaid rent.
2. The Applicant lodged the following accompanying documents with the application:
 - (i) Tenancy agreement
 - (ii) Rent increase notices
 - (iii) Rent statement

DECISION

3. 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.

4. 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 there is good reason to believe that it would not be appropriate to accept the application within the meaning of Rule 8(1)(c) of the Rules.

Reasons for Decision

5. An email was sent to the Applicant on 2 October 2025 requesting the Applicant provide a current address for the respondent to the application. By email reply of 2 October 2025, the Applicant advised that he did not hold said information.
6. By email of 5 November 2025 the tribunal advised the Applicant that he must take reasonable steps, such as instructing a sheriff officer's trace report, to

ascertain the address. If the sheriff officer's trace report was negative, then an application could be made for service by advertisement. By reply of 18 November 2025, the Applicant confirmed that he "*would be happy to instruct sheriff officers to attempt to trace them.*"

7. By email of 3 December 2025, the tribunal sought an update from the Applicant on whether a sheriff officer's trace report had been obtained. On 8 December 2025 the Applicant replied stating that he had thought the tribunal would find a sheriff officer for him. By email of 9 December 2025 the Applicant was informed that the tribunal could not provide him with advice and he was directed to the chamber website where he could find links to obtain independent advice.
8. On 28 January 2026 a further email was sent to the Applicant seeking an update on whether he had obtained an up-to-date address for the Respondent. There was no response to the email from the Applicant.
9. A further email was sent on 7 March 2026 seeking the information requested, failing which advising that the application may be rejected. There was no response to the email from the Applicant.
10. The Applicant has failed to cooperate with the tribunal in their reasonable requests for information. The application cannot proceed without (i) a current address for the respondent to enable service of the application or (ii) evidence of a sheriff officer's negative trace report together with an application for service by advertisement. The application cannot proceed on that basis. 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

Fiona Watson
Legal Member
24 April 2026