



**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

4 Laurel Court, Cambuslang, G72 7BD ("the Property")

Case Reference: FTS/HPC/PR/26/1085

Rajesh Poudel, 73 Red Road, Glasgow, G21 4PJ ("the Applicant")

1. The Applicant seeks a Wrongful Termination Order in terms of Rule 110 of the Rules. The Applicant lodged the following documents with the application:

- (i) Screenshot from the Landlord Register

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 on 30 March 2026 seeking further information from the Applicant as follows:
 - (i) *“It is noted that your claim appears to be an application for a wrongful termination order in terms of section 58 of the Private Housing (Tenancies) Scotland Act 2016 and in terms of rule 110 of the tribunal’s procedure rules. You appear to indicate that you were evicted without being given any notice. An application under these provisions requires the service of in notice to leave by the landlord upon the tenant. If you have not received a notice to leave then it would appear your application under this rule is completely unfounded. Please explain the basis upon which you were removed from this tenancy and explain the basis upon which this application can proceed.*
 - (ii) *You indicate in your application that you have various items of evidence including WhatsApp call logs, bank withdrawal records, and witness testimony. Please produce them to the tribunal.”*

6. No response was received to the email.
7. A further email was sent to the Applicant on 14 April 2026 seeking a response to the email of 30 March 2026 and warning that if no reply was received, the application may be rejected. This email was again not responded to.
8. The Applicant has failed to cooperate with the tribunal in their reasonable requests for information. The applicant has failed to clarify the basis upon which the application is raised. The Applicant has failed to provide evidence of a Notice to Leave having been served, as is a requirement under section 58 of the Private Housing (Tenancies) (Scotland) Act 2016, to satisfy the tribunal that an application can be accepted under Rule 110. 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.

F Watson

Fiona Watson
Legal Member
8 May 2026