



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

23 Hudson Terrace, East Kilbride, G75 8JG ("the Property")

Case Reference: FTS/HPC/PR/25/5013

Maureen Townsley, 11 Aikman Place, East Kilbride, G74 3JL ("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) Tenancy agreement between applicant and BC Properties
 - (ii) Occupancy Agreement between applicant and South Lanarkshire Council
 - (iii) Notice to Leave
 - (iv) Screenshot from Angel Homes "Properties for Sale" web page

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 10 December 2025 seeking further information from the Applicant as follows:
 - (i) *“It is noted that the tenancy agreement shows the landlord to be BC Properties. Your application bears to be against Stephen Cullie. Please explain why you believe Mr Cullie should be the Respondent. You have not provided a current residential address for the Respondent. Do you have one? If so, please provide*

it. The tribunal cannot accept 'care of' addresses. You are entitled to ask the letting agent to disclose this information in terms of section 327 of the Housing (Scotland) Act 1987. Failure to do so is an offence.

- (ii) If you cannot provide a current residential address for the Respondent it will not be possible for the tribunal to serve papers on the Respondent in respect of any forthcoming hearing relating to this application. In those circumstances you require to instruct sheriff officers to attempt to trace the Respondent and, if you are able to trace them, to provide us with the up-to-date address.*
- (iii) If sheriff officers cannot trace the Respondent then they will provide you with a report confirming same and you can then apply to the tribunal to have notice of the application served on the Respondent by means of advertisement on the tribunal website.*
- (iv) What evidence do you have showing the property has not been marketed for sale other than the single page of a search on a website of one letting agent? Have you instructed any additional searches? Have you checked the Land Register for Scotland to ascertain whether ownership of this property has changed? Please provide any further information you may have.*

6. On 28 December 2025 the Applicant sought an extension to the deadline set for providing the requested information. An extension was given to 16 January 2026 for provision of the information. No information was given by the extended deadline.
7. A further email was sent to the applicant on 21 March 2026 seeking the information previously requested by 4 April 2026 and notifying the Applicant that failure to respond would likely result in the application being rejected. No response was received from the Applicant.
8. The Applicant has failed to cooperate with the tribunal in their reasonable requests for information. The applicant has failed to explain the basis upon which he seeks an order against the respondent and further has failed to provide an address for the Respondent as required for service of papers. The applicant has failed to provide evidence to support the basis of the application that the property was not placed on the open market for sale. 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
15 May 2026