



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Rule 8(1)(c) of the First-tier Tribunal for Scotland (Housing and Property Chamber) Rules of Procedure 2017 (“the Rules”)

Chamber Ref: FTS/HPC/CV/26/0484

Re: Property at Torvaig, Cullicudden, Balblair, Dingwall, IV7 8LL (“the Property”)

Parties:

Mr Graeme Tudhope, Ms Amy Ward, 34 Seymour Avenue, Kilwinning, KA13 7PQ (“the Applicant”)

Tribunal Members: Ruth O’Hare, Legal Member with delegated powers from the Chamber President

Decision

The Legal Member determined that there is good reason to believe that it would not be appropriate to accept this application received by the Tribunal on 30 January 2026.

The Legal Member therefore rejects the application under Rule 8(1)(c) of the Rules.

Background

- 1 This is an application under section 71 of the Private Housing (Tenancies) (Scotland) Act 2016 (“the 2016 Act”) and Rule 111 of the Rules. The Applicant sought to recover sums from the landlord in respect of a private residential tenancy between the parties.
- 2 In terms of Rule 5(2) of the Rules, a Legal Member of the Tribunal with delegated powers from the Chamber President reviewed the application to assess whether it had been lodged in the required manner. Following said review the Tribunal wrote to the Applicant by email on 23 February 2026 in the following terms:-

“A Legal Member of the Tribunal has reviewed your application. Before a decision can be made on whether your application can proceed, we require you to provide us with the following information:-

1. *Your application must specify at Part 5(c) the sum being sought. You must also provide vouching for all losses alleged and confirm the legal basis upon which all losses are claimed. Please submit an amended application which provides this specification at Part 5.*

2. *The documents listed at Part 6 of the application form have not been provided. Please submit these.*

*Please provide the information no later than **9 March 2026**. Upon receipt of the information a Legal Member will consider your response and may seek further information from you before a decision is made on whether your application can proceed. In the absence of a response your application may be rejected without further notice.*

You may wish to consult a solicitor or advice agency if you require further guidance regarding your application. The Tribunal cannot provide you with legal advice but there are details of advice agencies under the Useful Links section of the Tribunal website.”

- 3 The Tribunal received no response from the Applicant. On 21 April 2026 the Tribunal wrote again to the Applicant requesting a response to the Tribunal’s email of 23 February 2026 by 5 May 2026 otherwise the Chamber President may reject the application.
- 4 No response has been received from the Applicant as at the date of this decision.

Reasons for decision

- 5 The Legal Member has determined that the application should be rejected in terms of Rule 8(1)(c) of the Rules, which states that an application must be rejected if the Tribunal has “*good reason to believe that it would not be appropriate to accept the application*”.
- 6 The basis of the decision is the Applicant’s failure to provide the information requested by the Tribunal under Rule 5(3) of the Rules. In particular, the Applicant has failed to properly specify their claim against the landlord and has failed to identify the legal basis upon which all losses are claimed. The Applicant has been asked to provide this information on two occasions. They have been advised that their application may be rejected if they do not respond. They have therefore been given the opportunity to address the outstanding matters.
- 7 The Legal Member has therefore determined, based on the Applicant’s failure to provide the information and cooperate with the Tribunal, that it would not be appropriate to accept the application. The application is therefore rejected under Rule 8(1)(c) of the Rules.

Right of Appeal

In terms of Section 46 of the Tribunal (Scotland) Act 2014, a party aggrieved by the decision of the Tribunal 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.

Ruth O'Hare

8 June 2026

Legal Member/Chair

Date