



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Rules 8(1)(c) and 26 of the First-tier Tribunal for Scotland (Housing and Property Chamber) Rules of Procedure 2017 (“the Rules”)

Chamber Ref FTS/HPC/RE/26/0112

Flat G/L, 1 Annfield Street, Dundee, DD1 5LW (“the Property”)

Mr Neal Graham, PO Box 644877, Redwood Park TH44, Jumeirah Golf Estates, Dubai, United Arab Emirates (“the Applicant”)

Belvoir Lettings, 26-28 High Street, Dundee, DD1 1TA (“the Applicant’s representative”)

Background

- 1 The Applicant applied to the Tribunal under section 28A of the Housing (Scotland) Act 2006 for assistance in exercising the landlord’s right of entry to the property. The application was received by the Tribunal on 12 January 2026 and was submitted by the Applicant’s representative.
- 2 The application was reviewed by a Legal Member of the Tribunal with delegated powers from the Chamber President under Rule 5(2) of the Rules. The Tribunal subsequently wrote to the Applicant’s representative under Rule 5(3) of the Rules requesting further information by email dated 11 February 2026. The Applicant was asked to provide a letter to the tenant stating the purpose of the access and the date and time when access is required together with evidence of its delivery. The Applicant’s representative sought clarification on the request by email dated 19 February 2026. The Tribunal responded to the Applicant’s representative on 9 April 2026 referring back to the terms of the request. Since no response was received from the Applicant’s representative, the Tribunal sent a reminder to the Applicant’s representative on 1 May 2026 requesting a response no later than 8 May 2026, failing which the application may be rejected.
- 3 No further response has been received from the Applicant nor his representative as at the date of this decision.

Reasons for decision

- 4 Rule 8(1)(c) states that the Chamber President, or another member of the Tribunal under the delegated powers of the Chamber President, must reject an application if "*they have good reason to believe that it would not be appropriate to accept the application*".
- 5 The Applicant has failed to respond to the Tribunal's requests for information. The application was submitted around six months ago. The Legal Member can therefore conclude that the Applicant's lack of response is an indication that they no longer wish to proceed with the application. As such the Legal Member has determined that there is good reason to believe it would not be appropriate to accept the application.
- 6 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.

R O'Hare

Legal Member
First-tier Tribunal for Scotland (Housing and Property Chamber)

Date: 11 June 2026