

**DECISION AND STATEMENT OF REASONS OF NICOLA IRVINE, 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

193 sandbank street, Glasgow, G20 0NF ("the Property")

Case Reference: FTS/HPC/PR/26/1317

Ms Abbie Campbell (Applicant)

1. The Applicant submitted an application in terms of Rule 103 of the Rules on 23 March 2026.

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 is frivolous within the meaning of Rule 8(1)(a) of the Rules.**

Reasons for Decision

4. 'Frivolous' in the context of legal proceedings is defined by Lord Justice Bingham in *R v North West Suffolk (Mildenhall) Magistrates Court*, (1998) Env LR9. He indicated at page 16 of the judgment; *"What the expression means in this context is, in my view, that the court considers the application to be futile, misconceived, hopeless or academic"*. It is that definition which the Legal Member has considered as the test in this application, and on consideration of this test, the Legal Member considers that this application is frivolous, misconceived and has no prospect of success.
5. On 27 March 2026, the Tribunal issued an email to the Applicant advising that the application was incomplete and requesting further information. The Applicant was asked to provide the information by 13 January 2026 and was advised that in the absence of a response the application may be rejected.
6. The Applicant sent a number of emails on 15 and 16 April 2026 and provided information which was not pertinent to the application. On 25 April 2026, the Tribunal issued a further email to the Applicant requesting further information and was advised to respond within 14 day. The Applicant responded on the same day, but did not provide the information required.
7. On 2 May 2026, the Tribunal issued a further email to the Applicant noting that

points raised in previous correspondence had not been addressed. The Applicant was advised that a further period of 7 days was allowed for the information to be provided, otherwise the application may be rejected. No response was received.

8. On 3 June 2026, the Tribunal issued a further email to the Applicant noting that she had failed to provide information requested on 25 April and 2 May 2026. The Applicant was advised that if she failed to provide the required information within 7 days, the application would be rejected. No response was received.
9. The Applicant has been given several opportunities to provide further information and has failed to do so. The application does not meet the requirements of rule 103. The Legal Member therefore determines that the application is frivolous, misconceived and has no prospect of success. 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.

Nicola Irvine
Legal Member
19 June 2026

