



**DECISION AND STATEMENT OF REASONS OF JAMES BAULD, 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 Procedural Rules")

in connection with

Case reference FTS/HPC/RN/25/3666

Parties

Miss Gloria Ishiwu (Applicant)

First Floor Right, 40 Whitehall Place, Aberdeen, AB25 2PB (House)

1. The application was made under Rule 108 of the Procedural Rules being an application to appeal a rent set by a rent officer.
2. The application was accompanied by supporting documentation.
3. By way of emails dated 5 September 2025, 22 September 2025, 16 October 2025, 5 November 2025, 17 December 2025, 22 December 2025, 27 January 2026, 20 February 2026 and 31 March 2026 requests for further information was sent to the Applicant.
4. There have been no substantive responses to those requests which also advised that the application may be rejected should the information not be provided. The applicant did send emails to the tribunal requesting further time to respond but at no point did she provide the information requested. She was given numerous

opportunities to provide the requested information

5. The final request for further information was sent to the applicant by way of email dated 27 April 2026. This request also advised that the application may be rejected should the information not be provided. No response has been received from the applicant.

6. The terms of that email of 27 April 2026 included the following...

“Your application has been further reviewed by a legal member of the First-tier Tribunal with delegated powers of the Chamber President who has raised the following matters:

**Your email of 31 March 2026 is acknowledged and has been considered
We have written to you twice setting out the information required. It was contained in our initial email to you dated 5 September 2025 and included again in an email to you dated 25 February 2020**

The required information is in the following terms...

.....

It is noted that you wish to appeal the rent which is now being charged in respect of what may be a private residential tenancy.

Rule 109 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 deals with application to appeal rents set by the rent officer and indicates that such an application must be accompanied by—

- (i) a copy of the rent officer’s order; and**
- (ii) a copy of the rent-increase notice upon which the referral to the rent officer was based**

Can you please provide copies of the rent increase notice you received from your landlord and the rent officer’s order?

It would also be helpful if you can provide a copy of your tenancy agreement.

Please note there are various time limits which apply in these matters and if you have not

challenged the rent increase notice by referring it to the rent officer or applied to this tribunal within certain time scales after receiving the rent officer's decision, then this tribunal may have no jurisdiction to deal with your application

.....
 The legal member is willing to allow you one final chance to respond to this request for further information. If you do not respond as requested your application will be rejected. Please note you will not be given any further extension of time to respond. This matter has been outstanding now for a period of almost eight months.

You are required to provide that information no later than 12 May 2026.

Upon receipt of the above information, a final decision can then be taken on whether the application is valid and whether it should be accepted and referred to the tribunal for full determination.

The tribunal would suggest that you may find it useful to seek independent legal advice on this application, the matters contained in this letter and any further action which you wish to take.

If you fail to provide the information previously requested, then the tribunal will reject your application. You should be aware that the Tribunal has the power to reject applications on grounds set out in rule 8 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017.”

DECISION

7. The circumstances in which an application is to be rejected are governed by 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."

- 8. After consideration of the application, the further information referred to and the lack of correspondence from the Applicant, 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 Procedural Rules.**

REASONS FOR DECISION

9. Eight requests were made for further information from the Applicant. This additional information requested was necessary to allow the application to proceed. The applicant was informed that the additional information was essential to allow further progress of the application and was warned that failure to respond may lead to the application being rejected. The applicant was warned of specific time limits which applied to this type of application. In the absence of any response by the Applicant, it would not be appropriate to accept the application and accordingly it is rejected.

James Bauld

Mr James Bauld

Legal Member

19 June 2026