



Decision and statement of Reasons of the First Tier Tribunal (Housing and Property Chamber)

Under Rule 8 of the First-Tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 ‘the Rules’.

In respect of application by Alistair Grant in terms of rule 95 of the Rules.

Case reference FTS/HPC/LA/25/3494

At Glasgow on the 30 July 2026, Lesley Anne Ward, legal member of the First –Tier Tribunal ‘the Tribunal’ with delegated powers of the Chamber President, rejected the above application in terms of Rule 8(1)(c) of the Rules

1. This is an application by Alistair Grant in terms of rule 95 of the Rules. The application was dated 15 August 2025 and entered in the case management system on that date.
2. The in-house convenor reviewed the application, and the Tribunal wrote to the applicant on 8 September 2025 as follows:

I refer to your recent application which has been referred to the Chamber President for consideration. A Legal Member of the Tribunal with delegated powers of the President has considered your application. Please note the following:

- (1) Before an application can be made to the Tribunal, the applicant must notify the Letting Agent of the complaints and give them an opportunity to resolve them. Please provide a copy of a letter or email sent to the Respondent which sets out the sections of the Code which have been breached and the reasons why you believe them to have been breached.
- (2) If you have not already issued this letter or email, please arrange to do so and give the respondent time to respond, at least 14 days. A template is attached. You do not have to use this but if you choose to do so, you must insert full details of your complaints before sending it to the Respondent. It should mirror the information specified in the application. Please then provide a copy of the letter, evidence showing how it was sent (such as a copy email or post office certificate of posting and track and trace report) and a copy of any response received. Please do not respond until the time limit specified in the letter or email has elapsed.
- (3) Please provide a copy of your tenancy agreement. Please reply to this office with the necessary information by 06 October 2025. If we do not hear from you within this time, the President may decide to reject the application. If you require any further information, please contact us, quoting your reference number.

3. The applicant did not respond. A reminder was sent on 7 October 2025.
4. The applicant contacted the tribunal on 7 October 2025 and stated that all the documents requested had already been submitted.
5. The tribunal sent a further email on 9 October 2025 to advise that the documents has not been received and asking him to send them as requested.
6. The in-house convenor reviewed the application again and a further request for information was sent on 28 November 2025 as follows:

A Legal Member of the Tribunal with delegated powers of the President has considered your recent response and notes the following: It appears that most of the documents you have submitted relate to a different application – RP/25/3480 – which is a repairing standard application against the landlord of the property. The request for information was issued in relation to your application against the letting agent under the Letting Agent code of practice. The reference number for this case is LA/25/3494.

If you do not wish to withdraw the application against the letting agent you must confirm this in writing. If you want to proceed you must provide the information and documents that have been requested previously. Please note that the Tribunal cannot transfer documents between cases. You are reminded that the application cannot be accepted until you have provided evidence of notification of the complaints to the letting agent. Please reply to this office with the necessary information by 12 December 2025. If we do not hear from you within this time, the President may decide to reject the application.

7. A reminder was sent on 15 December 2025 as the applicant did not respond.
8. The applicant sent an email to the tribunal on 16 December 2025. He did not respond to the tribunal's request for information. He complained that the tribunal had lost documents and reiterated that he wished to proceed with his application.
9. The tribunal sent a further request for information on 21 January 2026 as follows:

Your email dated 16 December 2025 is acknowledged and has been considered. It is noted that the tenancy ended on 12 November 2025. It is still open to you to pursue your application in respect of alleged breaches of the Letting Agent Code of Practice, despite the termination of the tenancy. However, you are required to provide the information which has been previously requested and was initially requested in terms of our email to you dated 8 September 2025. I attach this email again for your convenience. If you wish to continue with this application against the Letting Agent, please provide the information previously requested including a copy of the letter or email sent by you to the Letting Agent which sets out the sections of the Code which you believe have been breached, and the reasons why you believe they have been breached, together a copy of any response received from the Letting Agent. 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. Please reply to this office with the necessary information by 18 February 2026. If we do not hear from you within this time, the President may decide to reject the application. If you require any further information, please contact us, quoting your reference number.

10. The applicant responded on 12 February 2026. The tribunal in-house convenor reviewed the application in the light of his response and a request for information was sent on 23 March 2026 as follows:

We acknowledge receipt of your email of 12 February 2026 which has been considered by a legal member of the Tribunal. The legal member has determined that further information is required:-

- (1) We acknowledge receipt of the notification to the letting agent dated 1 May 2025. Section 6 of the application form must mirror this notification. You have included sections of the Code in the application that were not included in the notification. If your application is referred to a tribunal, the tribunal will then not be able to consider these sections. Please confirm if you wish to proceed to a tribunal or provide a notification to the letting agent with proof of delivery that mirrors the sections of the Code listed in the application.
- (2) The letting agent should be given reasonable time to respond. Please allow at least 14 days and provide a copy of any response received. Please reply to this office with the necessary information by 13 April 2026. If we do not hear from you within this time, the President may decide to reject the application.

11. The applicant responded on 7 April 2026 to state that he did not intend to contact the letting agent as requested by the tribunal and he wished his application to proceed.

12. The tribunal sent a further request for information on 25 May 2026 as follows:

Your email of 7 April 2026 is acknowledged and has been considered. You indicate you do not intend to contact the letting agent again with the revised notification as required by the tribunal. This matter cannot proceed to a tribunal unless you have undertaken the necessary prior steps required by the tribunal. If you do not wish to contact the letting agent as required by the tribunal, please confirm that you wish to withdraw this application. 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. There is a section of the tribunal website which contains information and links to advice agencies and sources of independent advice. Please reply to this office with the necessary information by 9 June 2026. If we do not hear from you within this time, the President may decide to reject the application. If you require any further information, please contact us, quoting your reference number.

13. The applicant responded on 26 May 2026 as follows:

The entire First-tier Tribunal process is not fit for purpose. Your procedures for making complaints are unnecessarily complicated and heavily biased in favour of landlords and letting agents to the detriment of tenants like myself. Your procedures move at a snail's pace, you lost documentation submitted in support of complaints requiring me to resubmit materials I had already sent you. I made two complaints to the Tribunal about my landlord at the time, Patrick Murray, and his letting agents, Leopard Residential Management. As of February 1st, 2024, there were 23 outstanding repairs required to be carried out in my flat which had been reported to both parties, some of which dated back as far as February 2019. LRM lied to me on several

occasions and have failed to comply with the Letting Agents Code of Practice. Living in such awful conditions severely affected both my physical and mental health at a time of retirement when I should have been enjoying my life. The Tribunal process is laughable. My complaints were submitted to the Tribunal in July and August 2025, it is now May 2026, 10 to 11 months later, and my complaints have still not been adjudicated on by the Tribunal. Meanwhile I have no doubt that both Patrick Murray and LRM are having a good laugh to themselves when neither should be allowed to continue operating in the private residential property market in Scotland. As I previously communicated to you I contacted both my MSP and the Housing Minister in Holyrood about this sorry state of affairs. 1 Unfortunately they were preoccupied with the May Scottish Parliamentary elections, but now that those are over I will be writing to the new incumbents to make a complaint about the First-tier Tribunal's serious mishandling of my complaints. Were the First-tier Tribunal in the private sector and not the public sector, you would have been shutdown years ago.

14. The applicant did not confirm he wished to withdraw his application in the light of his comments.

15. The tribunal sent a further email to the applicant on 28 May 2026 as follows:

I acknowledge receipt of your email dated 27th May 2026. The correspondence you have received from administration was provided by a legal In-House Convener, who's role is to review your application and determine whether information previously submitted was sufficient for your case to proceed to a tribunal panel, or whether further information is required. The administration team is only responsible for issuing correspondence on behalf of the Judicial Members. On this occasion, it was determined that additional action needs to be taken before the legal In-House Convener can make a decision that would allow the case to progress in line with legislative requirements, as this is a legal process. Otherwise, if no action is taken, the case will need to be withdrawn, as per the correspondence you received via email on 26th May 2026. As the Tribunal is an independent body, you may wish to seek your own independent advice regarding how you wish to proceed with your application. I hope that this information is of some assistance to you. However, if you remain dissatisfied with our service or this response, I have included a link to the Complaints Procedure of the Scottish Courts and Tribunals Service below. Feedback and Complaints | Housing and Property Chamber.

16. The applicant has not responded.

17. I have reviewed this application today and I have decided to reject it. Rule 8(c) of the rules provides that the President must reject an application if they have good reason to believe it would not be appropriate to accept it. I have good reason to consider that it would not be appropriate to accept this application as the application is incomplete. The applicant has failed to provide the requested information and the correspondence from the tribunal requesting information dates back to August of last year despite reminder after reminder. The applicant has failed to cooperate with the tribunal in the execution of its duties. There has been a considerable delay due to the failure of the applicant to respond to the tribunal's reasonable request for information to enable a final decision to be made regarding the application. In accordance with the overriding objective of the tribunal the fairest and most expeditious way for the tribunal to proceed given the background of delay and lack of cooperation is to reject this application.

NOTE: What you should do now.

If you accept this decision there is no need to reply.

If you disagree with this decision you should note the following:

An Applicant aggrieved by this 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 seek permission to appeal within 30 days of the date the decision was sent them. Information about the appeal procedure can be forwarded on request.

Lesley Anne Ward - Legal Member

30 July 2026