



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 Ms Roanna Lawler in terms of rule 66 of the Rules.

Case reference FTS/HPC/EV/26/1372

At Glasgow on the 3 August 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 Ms Roanna Lawler for eviction, in terms of rule 66 of the Rules. It was received by the Tribunal on 26 March 2026.
2. The in-house convenor reviewed the application and the Tribunal wrote to the applicant on 28 April 2026 seeking further information as follows:

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

Your application seeks an eviction order on the basis that the tenancy is a short, assured tenancy. The initial tenancy bears to run from 1 April 2005 to 1 October 2005.

In the notice to quit which has been provided, it is indicated that the tenant requires to quit the premises by 20 August 2025.. Does the notice to quit specify a removal date which is an “ish” or end date of the tenancy? If not on what basis is the purported notice effective and valid in law?

Does the notice to quit comply with the requirements of the schedule to the Assured Tenancies (Notices to Quit Prescribed Information) (Scotland) Regulations 1988? It does not appear to provide the tenant with the specified information contained in that schedule?

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 wish to seek independent legal advice on this application, the matters contained in this letter and any further action which you wish to take, prior to responding to the tribunal. Please respond to this letter within the next two weeks. If you fail to respond to this letter then the tribunal may 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. Please reply to this office with the necessary information by 12 May 2026. If we do not hear from you within this time, the President may decide to reject the application.

3. The applicant responded on 10 May 2026 as follows:

Having reviewed the matters raised, I acknowledge that the Notice to Quit served may not comply with the legal requirements in respect of the ish date and prescribed information. In light of this, I intend to seek further advice and consider my position, including the service of fresh notices. Please confirm whether I should withdraw the present application or whether it will be rejected under Rule 8.

4. The Tribunal wrote to the applicant again on 7 July 2026 as follows:

It would be helpful if you would now confirm that you are withdrawing the application, failing which, it will be rejected under Rule 8 and a rejection decision will be published on our website.

5. I have reviewed this application today and I have decided to reject it. In terms of Rule 8(c) of the rules I have good reason to consider that it would not be appropriate to accept this application. The applicant does not intend to proceed with the application and intends to seek advice with a view to re-serve the notices given the issue with the notice to quit. She may decide to make a new application in due course. The applicant has failed to respond to the Tribunal's email of 7 July 2026. In accordance with the overriding objective I have decided that the fairest and most expeditious way to proceed is to reject the 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