



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

Chamber Ref: FTS/HPC/EV/26/1849

Re: Property at 1 Blackhill Court, Glasgow, G23 5NL (“the Property”)

Parties:

Mr Yassir Shaheen, 21 Braehead, Dalry, KA24 5EY (“the Applicant”)

Tribunal Members:

Decision

The Legal Member determined that there is good reason to believe that it would not be appropriate to accept this application received by the Tribunal on 24 April 2026.

The Legal Member therefore rejects the application under Rule 8(1)(c) of the Rules.

Background

- 1 This is an application under rule 65 of the Rules and section 18 of the Housing (Scotland) Act 1988. The Applicant sought an eviction order in relation to an assured tenancy.
- 2 In terms of Rule 5(2) of the Rules, a Legal Member of the Tribunal with delegated powers from the Chamber President reviewed the application to assess whether it had been lodged in the required manner. Following said review, the Tribunal wrote to the Applicant by email on 19 May 2026 in the following terms:-

“A legal member of the Tribunal has reviewed your application. Before a decision can be made on whether the application can proceed to a tribunal for full determination we require you to provide the following information:-

1 There is a joint owner named on the title deeds. Please confirm if they should be added as a joint applicant or provide their written consent to the application proceeding in your sole name.

2 The notice to quit produced appears invalid in that it does not contain the prescribed information required under the Assured Tenancies (Notices to Quit

Prescribed Information) (Scotland) Regulations 1988 and it does not terminate the tenancy at the end of the tenancy term, otherwise known as the “ish”. The term of the tenancy is 18 January 2016 to 17 July 2016. In the absence of any provision to the contrary, it will thereafter have continued on a six monthly basis, with an ish of the 18 January or 17 July. Please consider withdrawing the application or explain why you believe it can proceed in view of the defects in the notice to quit.

3 The notice to quit and Form AT6 must be served upon the tenant by delivering it to them, by leaving it at their address, or by sending recorded delivery mail. It is noted that an attempt at service by recorded delivery mail was unsuccessful. The notices were then sent again by first class mail on 31 March 2026 which is not a valid form of service. Furthermore, if the notice was served on 31 March 2026 it would not have given the tenant sufficient notice in terms of the Form AT6. Please explain why you believe the notices have been validly served or consider withdrawing the application.

4 Please provide any evidence of the landlord’s compliance with the rent arrears pre-action protocol.

Please read the above carefully and ensure you provide all the requested information. Alternatively please confirm that the application is withdrawn.

You should seek independent legal advice if you require guidance with your response. Residential tenancies can be complex and the Tribunal cannot provide advice as an independent judicial body. There are, however, details of advice agencies available under the Useful Links section of our website.

Please reply to this office with the necessary information by 2 June 2026. If we do not hear from you within this time, the President may decide to reject the application.”

- 3 The Applicant did not respond to the Tribunal’s request for information. On 22 June 2026 the Tribunal wrote again to the Applicant noting the lack of response. The Tribunal asked the Applicant to provide the requested information within 14 days, failing which it was likely that the application would be rejected.
- 4 No response has been received from the Applicant as at the date of this decision.

Reasons for decision

- 5 The Legal Member has determined that the application should be rejected in terms of Rule 8(1)(c) of the Rules, which states that an application must be rejected if the Tribunal has “*good reason to believe that it would not be appropriate to accept the application*”.
- 6 The basis of the decision is the Applicant’s failure to provide the information requested by the Tribunal which is required before the application can be given further consideration. The Tribunal has identified fundamental defects with the

application which the Applicant has failed to address. The Applicant has been advised that the application may be rejected if he does not respond. He has therefore been given the opportunity to address the outstanding matters.

- 7 The Legal Member has therefore determined that, based on the Applicant's failure to provide the information and cooperate with the Tribunal, it would not be appropriate to accept the application. The application does not in its current form comply with the mandatory requirements of rule 65 of the Rules and must therefore be rejected.

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.

Ruth O'Hare

30 July 2026

Legal Member/Chair

Date