



Decision with Statement of Reasons of Karen Moore, Legal Member of the First tier Tribunal with delegated powers of the Chamber President of the First-tier Tribunal for Scotland (Housing and Property Chamber), under Rule 8 of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”)

Case reference FTS/HPC/RE/26/2600

Parties

Ms Nicola Shah (Applicant)

Castle Letting Agency Limited (Applicant’s Representative)

54 Martyn Street, Airdrie, North Lanarkshire, ML6 9AU (House)

Tribunal Member:

Karen Moore (Legal Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the application should be dismissed on the basis that it would not be appropriate to accept the application in terms of Rule 8(1)(c).

Background

1. The Application, made by the Applicant's Representative on her behalf, was received by the Tribunal on 8 June 2026 under Rule 55 and Section 28A(1) of the Private Housing (Tenancies) (Scotland) Act 2016 ("the 2016 Act").
2. The application was considered by the Tribunal. The Applicant's Representative was advised that the Application was incomplete and that although, copy of an email to the tenant inviting her to make contact to make an appointment had been produced, this is not sufficient evidence of notification as required by the legislation. By email dated 9 July 2026 the Applicant's Representative was asked to provide notification to the tenant of a date, time and purpose of the access and to confirm that access had not been given. A reply was requested by 23 July 2026. No reply was received and so a reminder was issued by email on 27 July 2026 requesting a reply by 3 August 2026. No reply was received. Both emails warned that a failure to reply might mean that the Application would be rejected.

Reasons for Decision

3. The Tribunal 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; (c) they have good reason to believe that it would not be appropriate to accept the application; (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."*
4. The Tribunal cannot grant the Application if it does not comply with the statutory requirements. This Application does not comply. Therefore, the Tribunal considers that there is good reason why the Application cannot be accepted. Accordingly, the application is rejected.

In terms of Section 28A(8) of the Act this decision of the member is final.

K Moore

Legal Member

7 September 2026