



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/26/2158

Parties

Mr Charles Glancey (Applicant)

Empire Property and Lettings Ltd (Applicant’s Representative)

24 Hill Street, Wishaw, ML2 7AT (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 13 May 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 as no evidence of notification to the tenant of a date, time and purpose of the access had been produced and there was no evidence to show that access had not been given. By email dated 14 May 2026 the Applicant's Representative was asked to provide evidence that notification to the tenant of a date, time and purpose of the access and to confirm that access had not been given. No reply was received and so reminders were issued by email on 29 May 2026, 2 and 17 July 2026 and 17 August 2026. Each email gave date for reply, the last date being 24 August 2026, and each warned that a failure to reply might mean that the Application would be rejected. No replies were received.

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.

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.

KAREN MOORE

Legal Member

7 September 2026