



**DECISION AND STATEMENT OF REASONS OF PETRA HENNIG MCFATRIDGE LEGAL
MEMBER OF THE FIRST-TIER TRIBUNAL WITH DELEGATED POWERS OF THE CHAMBER
PRESIDENT**

Under Rule 8 of the First-tier Tribunal for Scotland Housing and Property Chamber Rules
of Procedure 2017 ("the Procedural Rules")

in connection with

Case reference FTS/HPC/EV/26/1578

Mr Scott Munro (Applicant)

14 A Barassie Street, Troon, KA10 6LU (House)

1. On 10.4.26 the First Tier Tribunal for Scotland Housing and Property Chamber (FTT) received the application, which was made under rule 65 of the Procedure Rules and S 18 of Housing (Scotland) Act 1988 (the Act) and stated as the grounds applicable 1, 3, 8A and 13. The reasons given were rent arrears, damage to the property, the landlord wishing to live in the property and the property requiring repairs.
2. No supporting documentation was submitted with the application.
3. In letters dated 11.5.26 and 10.7.26 the FTT requested further information from the Applicant. It asked for a copy of the tenancy agreement, the notice given to the tenant and proof of service, the notice given to the local authority and proof of sending and clarification of the grounds for the application and evidence for same.
4. The period for a reply to the second request for further information had expired on

24.7.26 and by 17.8.26 no reply had been received and no further documents had been lodged by the Applicants. The document lodged by the applicant and the letters requesting further information from the FTT are referred to for their terms and held to be incorporated herein.

DECISION

5. I considered the application in terms of Rule 8 of the 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;*
- (b) the dispute to which the application relates has been resolved;*
- (c) they have good reason to believe that it would not be appropriate to accept the application;*
- (d) they consider that the application is being made for a purpose other than a purpose specified in the application; or*
- (e) the applicant has previously made an identical or substantially similar application and in the opinion of the Chamber President or another member of the First-tier Tribunal, under the delegated powers of the Chamber President, there has been no significant change in any material considerations since the identical or substantially similar application was determined.*

(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."

6. After consideration of the application, the attachments and correspondence from the

Applicant, I consider that the application should be rejected in terms of Rule 8 (c) of the Rules of Procedure on the basis as the Tribunal has good reason to believe that it would not be appropriate to accept the application.

REASONS FOR DECISION

1. The lodging requirements for an application under rule 65 include the requirement to provide the following documents: (b) (i) a copy of the tenancy agreement (if available) or, if this is not available, as much information about the tenancy as the landlord can give, (ii) a copy of the notice served on the tenant by the landlord of intention to raise proceedings for possession of a house let on an assured tenancy, (iii) a copy of the notice to quit served by the landlord on the tenant (if applicable), (iv) evidence as the applicant has that the possession ground or grounds has been met, (v) and a copy of the notice given to the local authority under S 11 of the Homelessness (Scotland) Act 2003 in
2. The Applicant did not provide any information to show that the tenancy is an assured tenancy in terms of the Housing (Scotland) Act 1988 and has not provided either the tenancy agreement or any details of the terms of the tenancy agreement. They have not provided an AT6 notice. No Notice to Quit was produced. No evidence that any of the relevant grounds applied was produced. No S 11 notice was produced.
3. Because several documents necessary to lodge an application in terms of rule 65 as stated above were not provided, it would not be appropriate for the Tribunal to accept an application which is incomplete and does not meet the lodging requirements.
4. The application is thus rejected.

What you should do now

If you accept the Legal Member's decision, there is no need to reply.

If you disagree with this decision:-

An applicant aggrieved by the 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 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. Information about the appeal procedure can be forwarded to you on request.

Petra Hennig McFatridge
Legal Member

18 August 2026