



**DECISION AND STATEMENT OF REASONS OF FIONA WATSON, 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 Rules")**

in connection with

Top left, 5 Hollybank Place, Aberdeen, AB11 6XR ("the Property")

Case Reference: FTS/HPC/CV/26/1653

**Fergus Ramage, Top Left, 32 Ashvale Place, Aberdeen, AB10 6QA ("the
Applicant")**

1. The Applicant seeks an order for payment in terms of Rule 111 of the Rules, in relation to reimbursement of rent. The Applicant lodged the following documents with the application:
 - (i) Photographs
 - (ii) Emails between Applicant and letting agent

DECISION

2. The Legal Member 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;*
- (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.

3. After consideration of the application and the documents submitted by the Applicant in support of same, the Legal Member considers that the application should be rejected on the basis that it would not be appropriate to accept the application within the meaning of Rule 8(1)(c) of the Rules.

Reasons for Decision

4. An email was sent to the applicant on 12 May 2026 seeking further information from the Applicant as follows:
 - (i) "The application cannot proceed against the letting agent. The landlord should be the respondent. Please amend the application to give the landlord's full name and residential address and remove the details of the letting agent.*
 - (ii) Please provide a copy of the tenancy agreement.*
 - (iii) Please provide any medical or other evidence in support of your claim.*
 - (iv) Please provide any correspondence with your landlord regarding your claim or any correspondence regarding abatement of rent.*
 - (v) Please tell us when the tenancy came to an end."*

5. This email was not responded to. A further email was sent to the Applicant on 30 June 2026 again seeking this information. This email was again not replied to.
6. The application is therefore lacking in evidence to support the basis of the application. The application appears to have been raised against the wrong party, with no explanation as to why the letting agent would have any liability. A copy of the tenancy agreement has not been provided, which agreement forms the contract between the parties under which rent fell to be paid. The Applicant has failed to cooperate with the tribunal in their reasonable requests for such information.
7. The Legal Member therefore determines that there is good reason to believe that it would not be appropriate to accept the application. The application is rejected on that basis.

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.

Fiona Watson
Legal Member
21 August 2026