



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”)

Ref FTS/HPC/RE/26/1896

Re: Property at 27 B Neilston Road, Flat B, Paisley, PA2 6LU

The Parties:

Mr Naveed Raja, 84-88 Strathmore Road, Glasgow, G22 7DW (“the Landlord”)

Tribunal Member: Ruth O’Hare, Legal Member, with delegated powers from the Chamber President

Decision

The Legal Member determined that there is good reason to believe that it would not be appropriate to accept the application received by it on 29 April 2026. The Legal Member therefore rejects the application under Rule 8(1)(c) of the Rules.

Background

- 1 The Landlord applied under Rule 55 of the Rules and section 28A(1) of the Housing (Scotland) Act 2006 for assistance in exercising his right of entry to the property. The application was submitted by the Landlord’s representative, Louise Brisbane.
- 2 A Legal Member with delegated powers from the Chamber President considered the application to determine whether it met the mandatory requirements for lodgement. On 25 June 2026 the Tribunal wrote to the Landlord’s representative requesting a copy of the letter of notification to the tenant together with proof of delivery and the contact details of the person for whom access was sought.
- 3 On 9 July 2026 the Landlord’s representative emailed the Tribunal with the letter of notification and proof of delivery. The letter to the tenant stated that the Landlord required access to the property on 23 July 2026.
- 4 On 14 August 2026 the Tribunal wrote to the Landlord’s representative asking her to confirm whether the tenant had provided access, and, if so, whether the

application could be withdrawn. The Tribunal also ask the Landlord's representative to provide the details of the person to which access was to be allowed if the application were to proceed.

- 5 The Tribunal received no response from the Landlord's representative. The Tribunal sent a further email to the Landlord's representative on 1 September 2026 asking for a response to the request for information, failing which the application may be rejected by the Tribunal.
- 6 No response has been received from the Landlord as at the date of this decision.

Reasons for decision

- 7 The Legal Member considered the application in terms of the Rules and determined that the application should be rejected in terms of Rule 8(1)(c) 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.*"
- 8 The basis of the decision is the lack of response from the Landlord or his representative to the Tribunal's requests for information. The Tribunal has twice asked for confirmation as to whether access has been obtained. The Landlord's representative has failed to respond. In view of the length of time since the application was lodged, the Tribunal can reasonably assume that the dispute has been resolved and the Landlord no longer wishes to proceed with the application. As such, the Legal Member has concluded that there is good reason to believe it would not be appropriate to accept the application at this stage.
- 9 The Legal Member therefore rejects the application under Rule 8(1)(c).

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.

R O'Hare

30 September 2026

Legal Member/Chair

Date