Housing and Property Chamber
First-tier Tribunal for Scotland

DECISION AND STATEMENT OF REASONS OF ALISON KELLY, 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

Case reference FTS/HPC/EV/26/2916

Parties

Mr Kevin Cuthbert (Applicant)

Miss Shannon MacGregor (Respondent)

13 Old Mill Courtyard, Bridge of Earn, Perth, PH2 9SY (House)

1. The application was made on 24th June 2026 under Rule 109 of the Procedural Rules being an application for an eviction order in connection with a private residential tenancy. The application was accompanied by supporting documentation

2. By way of email dated 22nd July 2026 a request for further information was sent to the Applicant. No response was received to that request.

3. Reminders regarding the request for the further information were sent to the 27th August 2026 and 21st September 2026. No response was received.

DECISION

4. The circumstances in which an application is to be rejected are governed by 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."

5. After consideration of the application, the further information referred to and correspondence from the Applicant, 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 Procedural Rules.

6. REASONS FOR DECISION

7. Three requests were made for further information from the Applicant. This additional information requested was necessary to allow the application to proceed.

8. In the absence of any response by the Applicant, it would not be appropriate to accept the application and accordingly it is 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.

Alison Kelly

Alison Kelly
Legal Member
16th November 2026