



**Decision with Statement of Reasons of Alan Strain, 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 Rules of Procedure 2017 ("the Rules")**

**Chamber Ref: FTS/HPC/CV/23/0718**

**Re: 0/1, 18 Broompark Drive, Dennistoun, Glasgow, G31 2DP ("the Property")**

#### **Parties**

**Mr William Grant (Applicant)**  
**Miss Pierrette Tchialu (Respondent)**

**1-2-LET (LETTINGS & SALES) LTD (Applicant's Representative)**

**Tribunal Member:**

**Alan Strain (Legal Member)**

#### **Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined that the application should be rejected on the basis that it would not be appropriate to accept the application in terms of Rule 8(1)(c).**

#### **Background**

1. The application was received by the Tribunal under Rule 70 on 7 March 2023. The application sought an order for payment in respect of rent arrears.
2. On 29 March 2023 the Tribunal emailed the Applicant in the following terms:

"Before a decision can be made, we need you to provide us with the following: 1. Please provide a rent statement showing rent due, rent paid and a running total of rent arrears. 2. Please provide a signed mandate from your client authorising you to act in this matter on their behalf. 3. Please amend section 5b of the application form to show the correct date on which rent was last paid. Please reply to this office with the necessary information by 12 April 2023. If we do not hear from you within this time, the President may decide to reject the application."

3. No response was received.
4. The Tribunal considered the application and wrote again on 3 May 2023 in the following terms:

“Before a decision can be made, we need you to provide us with the following: • Please provide the information and documents referred to in the letter of 29 March 2023 or it is likely that your application will be rejected. Please reply to this office with the necessary information by 17 May 2023. If we do not hear from you within this time, the President may decide to reject the application.”

5. No response was received.

### **Reasons for Decision**

6. 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."***

7. The Tribunal consider that the failure to provide necessary information constituted good reason why the application should not be accepted. The application is accordingly 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.**



14 June 2023

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Legal Member/Chair

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Date