



Decision under Rule 27 of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 ("the Procedural Rules")

Case reference FTS/HPC/LA/25/0589

Parties

Miss Carly Forbes (Applicant)

K-P Estate and Letting Agency Limited (Respondent)

Tribunal Members:

James Bauld (Legal Member) and Sara Hesp (Ordinary Member)

Decision (in absence of the parties)

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined that the application should be dismissed.

Background

1. By application dated 11 February 2025, the applicant applied to the tribunal alleging breaches of certain sections of the Letting Agent Code of Practice ("the Code") contained in Letting Agent Code of Practice (Scotland) Regulations).
2. On 3 April 2025, the application was accepted by the tribunal and referred for determination by the tribunal
3. A Case Management Discussion (CMD) was set to take place on 15 August 2025 and appropriate intimation of that hearing was given to both parties.

The Case Management Discussion and subsequent procedure

4. Neither party attended the Case Management Discussion (CMD) on 15 August 2025 at the appointed time of 2.00 p.m.

5. The clerk to the tribunal attempted to contact the applicant by telephone but could get no answer from the number contained in the application.
6. In the circumstances, the tribunal determined that the CMD required to be adjourned. The tribunal prepared a note after the CMD which was issued to the parties. The applicant was directed to contact the tribunal to indicate whether she wished the application to proceed. No response was received to that direction
7. On 17 December 2025, the tribunal wrote again to the applicant, requiring her to contact the tribunal no later than 7 January 2026 to indicate whether she wished the application to proceed. The applicant was warned that if she failed to provide this information, the tribunal would proceed to dismiss the application using the powers contained in rule 27 of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 (“the procedure rules”)
8. No response has been received from the applicant.
9. The tribunal has decided that the application should be dismissed on the basis of the provision contained in rule 27(2)(b) of the procedure rules which indicates that the tribunal may dismiss the whole of any application if the applicant has failed to comply with an order which stated to the applicant that failure to comply would lead to the dismissal of the proceedings

Decision

The tribunal dismisses the application

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.

James Bauld

Legal Member

16 January 2026
Date