

Housing and Property Chamber
First-tier Tribunal for Scotland



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/26/3273

Re: Property at 40 Emma Street, Blairgowrie, PH10 6NU

Parties

Veterans Housing Scotland, Gyleview House, 3 Red Heughs Rigg, Edinburgh, EH12 9DQ (“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 15 July 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 their right of entry to the property.
- 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 18 August 2026 the Tribunal wrote to the Landlord 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 No response was received from the Landlord. On 2 September 2026 the Tribunal sent a further email to the Landlord requesting they provide the information no later than 9 September 2026, failing which the Tribunal may reject the application.

- 4 No response has been received from the Landlord as at the date of this decision.

Reasons for decision

- 5 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.*”
- 6 The basis of the decision is the lack of response from the Landlord to the Tribunal’s requests for information. The Tribunal has twice asked the Landlord for further information which is required in order to meet the mandatory requirements for an application under Rule 55. The Landlord has failed to respond. In view of the length of time since the application was lodged, the Tribunal can reasonably assume that access has now been obtained by the Landlord and as such they no longer wish to proceed with the application. The Legal Member considers this constitutes good reason to as to why it would not be appropriate to accept the application at this stage.
- 7 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 _____