Housing and Property Chamber
First-tier Tribunal for Scotland

DECISION AND STATEMENT OF REASONS OF PETRA HENNIG MCFATRIDGE 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 Procedural Rules")

in connection with

Case reference FTS/HPC/PR/26/2381

Parties

Miss Caitlyn Wylie (Applicant)

Ms Caroline Macqueen (Applicant's Representative)

3 Millbank, Clackmannan, FK10 4SQ (House)

1. On 26.5.26 the First –tier Tribunal for Scotland, Housing and Property Chamber (the FTT) received the application by the Applicant for a wrongful termination order. The application was made under Rule 110 of the Rules of Procedure. Various documents were provided with the application. The application form itself contained no address for the Respondent.
2. On 15.6.26 the FTT wrote to the applicant's representative in the following terms: A Legal Member of the Tribunal has now reviewed your application and requested the following:-

1. We require a current address for the Respondent. You should be able to obtain this via Martin & Co as they under obligations, as letting agents, to provide this information to you. If you are unable to obtain the information this way, you will require to instruct a trace of the Respondent through a Sheriff Officer or other tracing agency. You should then submit their report to the Tribunal if an address is traced. If the trace is unsuccessful, you should apply for Service by Way of Advertisement on the Tribunal website, providing the negative trace report from the tracing agent with the application. 2. Please explain in the application form at Part 5 more about the basis for your application against your former landlord. 3. Please explain why you have provided your representative's details in Part 5 of the application in respect of remedy sought, as it is noted that the tenancy agreement was in the sole name of the Applicant. 4. Please specify the actual sum you are seeking in terms of this application at Section 5. 5. Please note that both Notices to Leave submitted with the application appear to be identical. If the second Notice served was different in any way from the first, please submit a copy of it to the Tribunal. Please respond within 14 days to allow your application to be further considered. Please reply to this office with the necessary information by 29 June 2026. If we do not hear from you within this time, the President may decide to reject the application.

3. No reply has been received to date.
4. All documents are referred to for their terms and held to be incorporated herein.

B DECISION

1. I considered the application in terms of Rule 8 of the 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."

2. **After consideration of the application, the attachments and correspondence from the Applicant, I consider that the application should be rejected in terms of Rule 8 (c) of the Rules of Procedure on the basis as the Tribunal has good reason to believe that it would not be appropriate to accept the application.**

C RELEVANT LEGISLATION

The First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017

110. Where a former tenant makes an application under section 57(2) (wrongful termination by eviction order) or section 58(2) (wrongful termination without eviction order) of the 2016 Act, the application must—

(a)state—

(i)the name and address of the former tenant;

(ii)the name, address and profession of any representative of the former tenant; and

(iii)the name, address and registration number (if any) of the former landlord;

(b)be accompanied by evidence showing that the tenancy was unlawfully terminated; and

(c)be signed and dated by the former tenant or a representative of the former tenant.

D REASONS FOR DECISION

1. Rule 110 (a) requires as part of the documentation to be submitted the application must state the name, address and registration number (if any) of the former landlord.
2. This has not been provided, neither has an application for service by advertisement. The

Applicant has not engaged with the further process since lodging the application and has also not addressed the other issues raised by the FTT.

3. As rule 110 (a) has not been complied with, the application 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.

Petra Hennig McFatridge
Legal Member
19 August 2026