Housing and Property Chamber
First-tier Tribunal for Scotland

DECISION AND STATEMENT OF REASONS OF JAMES BAULD, 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/RE/26/0557

Parties

Dorer Property Holdings Ltd (Applicant)

1B Glencairn Square, Kilmarnock, KA1 4AQ (House)

1. The application was made under Rule 55 of the Procedural Rules, being an application for assistance to exercise the landlord's right of entry in respect of a tenancy. The application was accompanied by supporting documentation.

2. The application was accompanied by supporting documentation.

3. By way of emails dated 9 June 2026, 29 June 2026 and 25 August 2026 requests for further information was sent to the Applicant.

4. There have been no responses to those requests which also advised that the application may be rejected should the information not be provided

5. The final request for further information was sent to the applicant by way of email

dated 25 August 2026. This request also advised that the application may be rejected should the information not be provided. No response has been received from the applicant.

6. The terms of that email of 25 August 2026 included the following…

"Your application has been further reviewed by a legal member of the First-tier Tribunal with delegated powers of the Chamber President.

It is noted that you have failed to provide the further information requested by emails dated 9 June 2026 and 29 June 2026

We now write to advise you that if you fail to provide this information within the next seven days the tribunal will have no option but to reject your application.

You should be aware that the Tribunal has the power to reject applications on grounds set out in rule 8 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations
."

DECISION

7. 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."

8. After consideration of the application, the further information referred to and the lack of 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.

REASONS FOR DECISION

9. Three requests were made for further information from the Applicant. This additional information requested was necessary to allow the application to proceed. The applicant was informed that the additional information was essential to allow further progress of the application and was warned that failure to respond may lead to the application being rejected. The applicant was warned of specific time limits which applied to this type of application. In the absence of any response by the Applicant, it would not be appropriate to accept the application and accordingly it is rejected.

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What you should do now

If you accept the Legal Member's decision, there is no need to reply.

Mr James Bauld
Legal Member
3 November 2026