

## SCHEDULE 1

### The First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2016

## PART 3

### Procedure in respect of private rented applications

#### *Procedure in respect of Landlord applications to the First-tier Tribunal*

#### **Rejection of applications**

**55.**—(1) The First-tier Tribunal must reject an application if—

- (a) the First-tier Tribunal considers that the application is frivolous or vexatious;
- (b) the dispute to which the application relates has been resolved or the landlord has been able to enter the house for the purpose specified in the application;
- (c) the First-tier Tribunal has good reason to believe that it would not be appropriate to assist either the landlord or any person the landlord intends to authorise to enter the house, or both, to gain entry to the house;
- (d) the First-tier Tribunal considers that the application is being made for a purpose other than a purpose specified in section 181(4) of the Act; or
- (e) the landlord has previously made an identical or substantially similar application in relation to the same house and in the First-tier Tribunal's opinion there has been no significant change in any material considerations since the identical or substantially similar application was determined.

(2) Where the First-tier Tribunal makes a decision under section 28A(3) of the Act to reject an application the notification to the landlord under that section must state—

- (a) the name of the tenant and the address of the house;
- (b) the reason for the decision; and
- (c) that in terms of section 28A(8) of the Act the decision is final.