



Annabelle Ewing MSP
The Scottish Parliament
Edinburgh
EH99 1SP

Chief Executive's Office
Parliament House
Parliament Square
Edinburgh
EH1 1RQ
DX 549306
LP1 Edinburgh 10

16 May 2025

Dear Ms Ewing

SCOTTISH PARLIAMENTARY QUESTION S6W-36246

The Cabinet Secretary in her response to the above PQ indicated that it related to operational matters within the responsibility of the Scottish Courts and Tribunals Service corporate body. I am now writing in response to the matter raised.

S5W-36246 asks: how many cases that are currently lodged with the First-tier Tribunal for Scotland (Housing and Property Chamber) are yet to have an initial hearing date set?

Each application submitted to the First-tier Tribunal for Scotland (Housing and Property Chamber) follows a structured three-stage process as outlined below:

Initial check on receipt of application

All applications must meet the requirements set out in the relevant HPC procedural rule. Upon receipt, each application is reviewed by a tribunal judge (legal member) to determine whether it complies with these prescribed requirements.

Frequently, applications are initially incomplete. Supporting documents may be missing, or essential procedural steps may not have been followed. For example, in property factor, letting agent, and repairing standard cases, applicants sometimes fail to provide adequate notice of complaints to the responding party, as required by legislation.

While many applications are initially incomplete, the Chamber adopts an enabling approach towards applicants, many of whom are unrepresented. Rather than returning applications at the outset, which would decrease HPC processing times, the Chamber engages with applicants to request any missing information or documents. This collaborative engagement typically spans several weeks. If, after reasonable efforts and follow-up, the necessary information is still not received, the application may ultimately be rejected.

Sifting stage

Once an application meets the prescribed requirements, it progresses to the sift stage, where a legal member assesses whether it should be referred to a tribunal. Applications assessed as fundamentally flawed and having no reasonable prospect of success are rejected at this point.

However, this is a high threshold. In 2023–24, only 11% of all disposed applications were rejected - primarily because they either failed to meet the prescribed requirements or did not meet the test for referral, often following a request for additional information.

Scheduling stage

Applications referred to a tribunal are passed to the scheduling team, who will assign the next available initial hearing date and allocate the Tribunal members to the case.

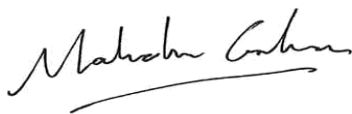
The table below provides a breakdown of applications currently at each of the stages outlined above:

Stage / Number of applications for	Private Rented Sector	Letting Agents	Property Factor	Rent and Repairs	Total
Initial check on receipt of application	530	11	75	30	646
Sifting stage	255	1	19	35	310
Scheduling stage for initial hearing	405	13	52	28	498
Overall total	1190	25	146	93	1454

SCTS continuously seek to improve the scheduling process to ensure hearings are arranged efficiently, particularly in the context of rising caseloads across the Scottish Tribunals. Resource allocation within the administration is regularly reviewed to prioritise areas under greatest pressure. However, scheduling capacity is heavily dependent on the availability of Tribunal members, all of whom are fee-paid and serve part-time. The Judicial Appointments Board for Scotland is currently conducting a recruitment round to expand the pool of legal members available for panel assignment. A larger pool of legal members will positively enhance the overall scheduling capacity.

A copy of this letter will be placed in the Scottish Parliament Information Centre and published on the Scottish Courts and Tribunals Service website.

Yours sincerely



Malcolm Graham
Chief Executive