



Mark Griffin MSP

By email

Mark.Griffin.msp@parliament.scot

17 February 2022

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

Dear Mr Griffin

SCOTTISH PARLIAMENTARY QUESTION S6W-06157

The Cabinet Secretary in his 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.

S6W-06157 asks how many applications the First-tier Tribunal for Scotland (Housing and Property Chamber) has received for evictions and civil proceedings for each rule in each (a) quarter and (b) year since 1 December 2017, and, of these, how many have received a hearing.

The First-tier Tribunal for Scotland (Housing and Property Chamber) came into being 1 December 2016 as part of the changes introduced by the Tribunals (Scotland) Act 2014. Prior to 1 December 2017, disputes arising between private tenants and landlords were heard by the Sheriff Court.

Annex A describes the way applications are processed and explains why the number of hearings does not correlate directly to the number of applications received. Annexes B and C provides the information requested on a quarterly and yearly basis.

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

Yours sincerely

A handwritten signature in black ink, appearing to read 'Eric McQueen'.

Eric McQueen
Chief Executive
0131 444 3301
emcqueen@scotcourts.gov.uk

General notes for Parliamentary Question S6W-06157

1. Application receipts do not always result in a case progressing to a hearing. Applications are sifted by Legal Members of the First-tier Tribunal for Scotland (Housing and Property Chamber) who have delegated authority from the Chamber President. An application can be rejected at this stage for a number of reasons including; frivolous or vexatious in nature and not compliant with the Act. Applications can also be withdrawn by the applicant before a decision is made by the Tribunal or dismissed at a hearing by the Tribunal without proceeding to an outcome. Application volumes recorded may vary slightly depending on when the information is sourced by the tribunal administration.
2. There are two sections for quarter and year data; the applications received under each rule number and the number of hearings under each rule number. The rule number corresponds with the rule for that particular type of application in terms of the First Tier Tribunal for Scotland Housing and Property Rules of Procedure 2017 as amended.
3. The hearings data will **not** correlate with the applications receipts because –
 - a. Applications are not always heard in the same period as received.
 - b. Applications may have multiple hearings because of their complexity or because of adjournment or postponement requests received from parties.

Annex B

Quarterly Data- applications the First-tier Tribunal for Scotland (Housing and Property Chamber) has received for evictions (EV) and civil proceedings (CV) in each quarter since 1 December 2017 and, the number of total hearings held bearing in mind the caveat in Annex A Point 3 above. Please note the data on the number of hearings does not reflect the number of applications considered at a hearing.

EV applications	Rule 65	Rule 66	Rule 77	Rule 79	Rule 109	
		S Assd		Reg Ten		
Quarter	Assd Ten	Ten	Reg Ten	Occ	PRT	TOTAL
01/12/2017 - 31/12/2017	24	38	0	0	0	62
01/01/2018 - 31/03/2018	139	188	1	0	4	332
01/04/2018 - 30/06/2018	118	227	2	1	27	375
01/07/2018 - 30/09/2018	162	188	0	0	77	427
01/10/2018 - 31/12/2018	114	172	1	3	101	391
01/01/2019 - 31/03/2019	123	153	0	2	166	444
01/04/2019 - 30/06/2019	131	130	1	0	197	459
01/07/2019 - 30/09/2019	112	119	2	1	214	448
01/10/2019 - 31/12/2019	102	93	0	0	228	423
01/01/2020 - 31/03/2020	76	102	2	0	240	420
01/04/2020 - 30/06/2020	24	48	0	0	103	175
01/07/2020 - 30/09/2020	37	60	0	0	112	209
01/10/2020 - 31/12/2020	20	32	0	1	91	144
01/01/2021 - 31/03/2021	36	49	0	1	157	243
01/04/2021 - 30/06/2021	38	63	0	0	165	266
01/07/2021 - 30/09/2021	49	67	0	2	189	307
01/10/2021 - 31/12/2021	53	64	2	0	206	325
01/01/2022 - 17/02/2022	20	26	0	0	112	158

EV hearings	Rule 65	Rule 66	Rule 77	Rule 79	Rule 109	
		S Assd		Reg Ten		
Quarter	Assd Ten	Ten	Reg Ten	Occ	PRT	TOTAL
01/12/2017 - 31/12/2017	0	0	0	0	0	0
01/01/2018 - 31/03/2018	31	61	0	0	0	92
01/04/2018 - 30/06/2018	95	133	1	0	0	229
01/07/2018 - 30/09/2018	113	224	2	0	33	372
01/10/2018 - 31/12/2018	116	158	1	0	47	322
01/01/2019 - 31/03/2019	117	156	0	1	98	372
01/04/2019 - 30/06/2019	122	148	0	1	193	464
01/07/2019 - 30/09/2019	130	107	2	0	65	304
01/10/2019 - 31/12/2019	115	112	1	1	216	445
01/01/2020 - 31/03/2020	116	89	1	0	243	449
01/04/2020 - 30/06/2020	14	30	1	0	66	111
01/07/2020 - 30/09/2020	76	105	1	0	242	424
01/10/2020 - 31/12/2020	45	61	2	0	127	235
01/01/2021 - 31/03/2021	28	31	0	2	113	174
01/04/2021 - 30/06/2021	29	59	0	2	171	261
01/07/2021 - 30/09/2021	45	59	0	2	151	257
01/10/2021 - 31/12/2021	36	59	0	2	159	256
01/01/2022 - 17/02/2022	20	26	0	0	99	145

CV applications	Rule 70	Rule 91	Rule 111	
Quarter	Assd Ten	Reg Ten	PRT	TOTAL
01/12/2017 - 31/12/2017	32	0	0	32
01/01/2018 - 31/03/2018	182	3	1	186
01/04/2018 - 30/06/2018	211	6	1	218
01/07/2018 - 30/09/2018	232	2	48	282
01/10/2018 - 31/12/2018	229	0	70	299
01/01/2019 - 31/03/2019	232	0	122	354
01/04/2019 - 30/06/2019	197	4	147	348
01/07/2019 - 30/09/2019	171	1	159	331
01/10/2019 - 31/12/2019	164	1	160	325
01/01/2020 - 31/03/2020	148	2	198	348
01/04/2020 - 30/06/2020	54	0	72	126
01/07/2020 - 30/09/2020	91	0	143	234
01/10/2020 - 31/12/2020	75	1	153	229
01/01/2021 - 31/03/2021	63	0	187	250
01/04/2021 - 30/06/2021	78	0	198	276
01/07/2021 - 30/09/2021	59	1	171	231
01/10/2021 - 31/12/2021	59	1	235	295
01/01/2022 - 17/02/2022	22	0	113	135

CV hearings	Rule 70	Rule 91	Rule 111	
Quarter	Assd Ten	Reg Ten	PRT	TOTAL
01/12/2017 - 31/12/2017	0	0	0	0
01/01/2018 - 31/03/2018	58	0	0	58
01/04/2018 - 30/06/2018	170	3	0	173
01/07/2018 - 30/09/2018	308	7	27	342
01/10/2018 - 31/12/2018	337	3	53	393
01/01/2019 - 31/03/2019	384	4	87	475
01/04/2019 - 30/06/2019	429	1	188	618
01/07/2019 - 30/09/2019	338	7	190	535
01/10/2019 - 31/12/2019	299	1	227	527
01/01/2020 - 31/03/2020	314	1	265	580
01/04/2020 - 30/06/2020	69	0	86	155
01/07/2020 - 30/09/2020	275	1	323	599
01/10/2020 - 31/12/2020	191	1	272	464
01/01/2021 - 31/03/2021	193	0	248	441
01/04/2021 - 30/06/2021	146	0	282	428
01/07/2021 - 30/09/2021	94	0	226	320
01/10/2021 - 31/12/2021	43	0	96	139
01/01/2022 - 17/02/2022	60	1	146	207

Yearly Data - applications the First-tier Tribunal for Scotland (Housing and Property Chamber) has received for evictions (EV) and civil proceedings (CV) in each year since 1 December 2017 and, the number of total hearings held bearing in mind the caveat in Annex A Point 3 above. Please note the data on the number of hearings does not reflect the number of applications considered at a hearing.

EV applications	Rule 65	Rule 66	Rule 77	Rule 79	Rule 109	
Year	Assd Ten	S Assd Ten	Reg Ten	Reg Ten Occ	PRT	TOTAL
01/12/2017 - 31/03/2018	163	226	0	1	4	394
01/04/2018 - 31/03/2019	517	740	3	6	371	1637
01/04/2019 - 31/03/2020	421	444	5	1	879	1750
01/04/2020 - 31/03/2021	117	189	0	2	463	771
01/04/2021 - 17/02/2022	160	220	2	2	672	1056

EV hearings	Rule 65	Rule 66	Rule 77	Rule 79	Rule 109	
Year	Assd Ten	S Assd Ten	Reg Ten	Reg Ten Occ	PRT	TOTAL
01/12/2017 - 31/03/2018	31	61	0	0	0	92
01/04/2018 - 31/03/2019	441	671	4	1	178	1295
01/04/2019 - 31/03/2020	483	456	4	2	817	1762
01/04/2020 - 31/03/2021	163	227	4	2	548	944
01/04/2021 - 17/02/2022	129	203	0	6	580	918

CV applications	Rule 70	Rule 91	Rule 111	
Year	Assd Ten	Reg Ten	PRT	TOTAL
01/12/2017 - 31/03/2018	214	3	1	218
01/04/2018 - 31/03/2019	914	8	263	1185
01/04/2019 - 31/03/2020	680	8	664	1352
01/04/2020 - 31/03/2021	283	1	555	839
01/04/2021 - 17/02/2022	219	2	718	939

CV hearings	Rule 70	Rule 91	Rule 111	
Year	Assd Ten	Reg Ten	PRT	TOTAL
01/12/2017 - 31/03/2018	58	0	0	58
01/04/2018 - 31/03/2019	1199	17	167	1383
01/04/2019 - 31/03/2020	1380	12	870	2262
01/04/2020 - 31/03/2021	728	2	929	1659
01/04/2021 - 17/02/2022	419	1	937	1357