



**Decision and statement of Reasons of the First Tier Tribunal (Housing and Property Chamber)**

**Under Rule 8 of the First Tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 ‘the Rules’.**

In respect of application by Scottish Midland Co-operative Society Limited in terms of Rule 111 of the Rules.

**Case reference FTS/HPC/CV/22/0244**

At Glasgow on the 31 March 2022, Lesley Anne Ward, legal member of the First –Tier Tribunal ‘the Tribunal’ with delegated powers of the Chamber President, rejected the above application in terms of Rule 8(1) (c) of the Rules

1. This is an application by Scottish Midland Co-operative Society Limited in terms of rule 111 of the rules. The application was made by Mr Scott Runciman of Gilson Gray LLP on 26 January 2022. The application appeared to be attempting to recover rent arrears of £897.50 arising out of two leases with the same tenant: a private residential tenancy agreement and a short assured tenancy agreement.
2. The tribunal wrote to the applicant’s representative on 16 February 2022 seeking clarification. Mr Runciman responded on 23 February 2022 and said that he intended to submit two further applications to recover the rent arrears and he asked if they could be conjoined.
3. Two further applications have been lodged on 23 February 2022. CV/22/0552 in terms of rule 111 for £302.50 and CV/22/0553 in terms of rule 70 for £595, a total sum of £897.50.
4. The tribunal wrote to the applicant’s representative on 15 March 2022 advising that the legal member had accepted the two applications and inviting him to advise whether he wishes to withdraw this application by 29 March 2022. No reply has been received.
5. The two new applications relate to the same tenant and the same sum of money is at issue. I therefore have good reason to believe it would not be appropriate to accept this application in terms of rule 8(1)(c) as new applications have been accepted covering the same arrears.

**NOTE: What you should do now.**

If you accept this decision there is no need to reply.

If you disagree with this decision you should note the following:

An applicant aggrieved by this 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 seek permission to appeal within 30 days of the date the decision was sent them. Information about the appeal procedure can be forwarded on request.



Lesley Anne Ward

Legal Member