



## DECISION AND STATEMENT OF REASONS OF THE FIRST-TIER TRIBUNAL FOR SCOTLAND

Under Rule 8 of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 (“the Rules”)

In respect of

177 Croftspar Grove, Glasgow (“The Property”)

Applicant(s): Ms Deborah Mewhirter, 2 Blane Street, Coatbridge, ML52 0JN

Respondent(s): CPM, 315 Drumoyne Road, Glasgow, G51 4DX

Case Reference: FTS/HPC/PR/19/3386

At Glasgow on 20 November 2019, Andrew McLaughlin, Legal Member of the First-Tier Tribunal with delegated powers of the Chamber President, rejected the above application in terms of rule 8 of the Rules for the following reasons:

1. The Applicant raises an Application in respect of Rule 103 seeking an order under Regulation 9 (1) of the Tenancy Deposit Schemes (Scotland) Regulations 2011 (“The Regulations”).
2. The Applicant has confirmed that the tenancy ended on 31 May 2019. This Application is dated 18 October 2019.
3. Regulation 9 (2) of the Regulations states that: *An application under paragraph (1) ... must be made no later than 3 months after the tenancy has ended.*
4. The Application is therefore time-barred as it has been submitted out with the prescribed time limits as set out in the Regulations.
5. I consider that it is not appropriate to accept the Application in terms of Tribunal Rule 8 (C) which allows for an Application to be rejected by a Legal Member of the Tribunal on behalf of the Chamber President if *“they have good reason to believe that it would not be appropriate to accept the application.”* The Application is therefore rejected.

### **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 the 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 to them.



Mr Andrew McLaughlin

Legal Member

20 November 2019