

**Housing and Property Chamber**  
First-tier Tribunal for Scotland

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**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Rules 8(1) and 26 of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017.**

**Chamber Ref: FTS/HPC/CV/24/4898**

**41A Wallace Street, Stirling, FK8 1NU ("the Property")**

**Parties:**

**Matthias Gisder ("Applicant")  
Gaynor Crawford ("Respondent")**

**Tribunal Member: Ruth O'Hare (Legal Member) with delegated powers from the Chamber President**

**Decision**

**The Tribunal rejects the application by the Applicant received by it on 23 October 2024 under Rule 8(1)(c) of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 ("the Rules").**

**Background**

- 1 The Applicant submitted an application to the Tribunal under Rule 111 of the Rules seeking an order for payment against the Respondent in respect of the return of his tenancy deposit.
- 2 On 25 October 2024 the Tribunal wrote to the Applicant requesting further information. In particular the Tribunal requested a current residential address for the Applicant, a copy of the full tenancy agreement, and clarification as to the identity of a third party.
- 3 The Tribunal received no response. On 18 November 2024 the Tribunal wrote again to the Applicant requesting the information.
- 4 No response was received from the Applicant. On 10 December 2024 the Tribunal wrote again requesting the Applicant's address, noting that this was a requirement under the Rules for an application under Rule 111. The Applicant was advised that if he did not provide the information the application would likely be rejected.

5 No further response was received from the Applicant.

### **Reasons for Decision**

6 The Legal Member considered the application in terms of the Rules and determined that the application should be rejected in terms of Rule 8(1) (c) which states that an application must be rejected if the Tribunal has “good reason to believe that it would not be appropriate to accept the application.” The basis of the decision is that the Applicant has failed to provide the information requested by the Tribunal under Rule 5(3) of the Rules which is necessary to meet the required manner for lodgement. The Applicant has been asked for the information on three separate occasions. The Applicant has been warned that a failure to provide the information may result in the application being rejected. Accordingly the Legal Member has concluded that the application cannot be accepted in its current form and must be rejected under Rule 8(1)(c).

**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: A party 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.

# Ruth O’Hare

**Ruth O’Hare, Legal Member**  
**28 January 2025**