

**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/24/5184**

**24 Craw Yard Drive, Edinburgh, EH12 9LU ("the Property")**

**Parties:**

**Younis Baig Shaik ("Applicant")  
Samsheer Panepalli Abdullah ("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 11 November 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 seeking the refund of their tenancy deposit, compensation for the Respondent's failure to lodge the deposit with an approved deposit scheme, and additional costs incurred by them in pursuing the matter. The Applicant sought an order for payment against the Respondent.
- 2 Following review of the application by a Legal Member of the Tribunal with delegated powers from the Chamber President the Tribunal wrote to the Applicant by email on 20 November 2024. The Tribunal noted that the Applicant had submitted a prior application in almost identical terms. The Applicant had failed to respond to a request for information from the Tribunal regarding that application. The Applicant was asked to confirm if this application was a response to that request. The Applicant was also advised that the questions raised in said request for information regarding the competency of the application, the Respondent's address, and the position regarding the joint tenants applied to this application. The Applicant was asked to provide a response no later than 4 December 2024.

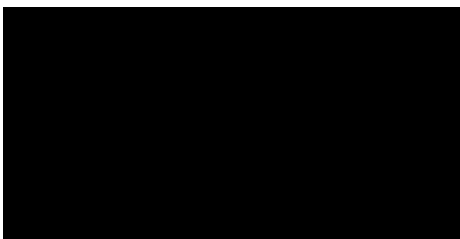
- 3 The Tribunal received no response. On 17 December 2024 the Tribunal wrote again to the Applicant. The Tribunal asked the Applicant to confirm the identity of the Applicant and the Applicant's representative, and to provide a current address for the Respondent or an application for service by advertisement. The Tribunal noted that the Applicant had failed to respond to previous requests for information and ask the Applicant to confirm if the application was to be withdrawn. The Applicant was warned that if they did not respond to the request the application would be rejected and the decision published online.
- 4 No further response was received from the Applicant.

### **Reasons for Decision**

- 5 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 several 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, Legal Member**  
**7 February 2024**