

**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)(c) and 26 of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017.**

**Chamber Ref: FTS/HPC/CV/24/5056**

**Ground Floor, 0/1, 10 Clairmont Gardens, Glasgow, G3 7LW ("the Property")**

**Parties:**

**Imran Rahim ("the Applicant")**

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

**Decision**

The Tribunal rejects the application by the Applicant dated 31 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 On 31 October 2024 the Applicant submitted an application under Rule 111 of the Rules for a payment order in respect of injuries caused as a result of the condition of his tenancy.
- 2 Following a review of the application by a Legal Member with delegated powers from the Chamber President, the Tribunal wrote to the Applicant by email in the following terms:-

*"Your application has been reviewed by a Legal Member of the Tribunal with delegated powers of the President. Please provide the following further information.*

*Please confirm the amount being sought. In your application you state £16,500. Is this the correct amount? You must provide reasons for why you are seeking the specific amount. The following information should be submitted if possible:*

- *Evidence of steps taken to inform your letting agents of the issues with the boiler and other action taken to remedy the issue- e.g. emails/text messages*
- *Vouching/receipts for the purchase of the 2 mattresses*

- Evidence of mice/rat infestation, if possible, e.g. photographs, emails with letting agents raising the issue.
- Evidence of the issue with the rear electric gate – e.g. photographs, emails with the letting agents raising the issue.
- Vouching/receipts for taxi journeys resulting from the issue with the rear gate.
- Please provide copies of the emails to letting agents in May 2024 referred to in your application.
- Please specify the length of time that the boiler was not working .

*You state that you seek £10,000 as a result of injury arising from a disrepair issue. Please provide details of the injury including the date of the incident, the nature of the injury, medical evidence as proof of the injury, any correspondence with the landlord or their agents regarding this issue, evidence of financial loss (e.g. loss of earnings) arising from the injury.*

*In the calculation of the amount being sought you have not included any of the specific items and have stated that three months' rent is the amount being sought. Please clarify the basis on which you seek that specific amount and explain how the specific outlays, for example the mattresses, taxi journeys are covered.*

*The tribunal would respectfully suggest that you may wish to seek independent legal advice on this application, the matters contained in this letter and any further action which you wish to take.*

*Please reply to this office with the necessary information by **26 December 2024**. If we do not hear from you within this time, the President may decide to reject the application."*

- 3 The Applicant did not respond. On 10 February 2025 the Tribunal wrote again to the Applicant by email, noting his lack of response. The Tribunal advised the Applicant that the application could not proceed without the requested information. If the information was not provided by him, the application would have to be rejected and a decision published on the Tribunal's website. The Applicant was therefore asked to provide a response no later than 24 February 2025.
- 4 No further response was received from the Applicant.

## **Reasons**

- 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."
- 6 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 two 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 there is therefore good reason to reject the application 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**  
**12 March 2025**