



Decision with Statement of Reasons of Alan Strain, Legal Member of the First-tier Tribunal with delegated powers of the Chamber President of the First-tier Tribunal for Scotland (Housing and Property Chamber)

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

Chamber Ref: FTS/HPC/PR/25/1024

Parties

Yueran Ma (Applicant)

Mr Runzhe Li (Applicant's Representative)

1/3, 24 Rathlin Street, Glasgow, G51 3AT (House)

Tribunal Member:

Alan Strain (Legal Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined that the application should be dismissed on the basis that it would not be appropriate to accept the application in terms of Rule 8(1)(c).

Background

1. The application was received by the Tribunal under Rule 103 on 6 March 2025. The application was in respect of an alleged failure of the Landlord to protect a tenancy deposit under the **Tenancy Deposit Schemes (Scotland) Regulations 2011 (Regulations)**.
2. The application was considered by the Tribunal on 12 March 2025. The Applicant was asked to provide further information as follows:

"1. Please provide an amended application form which only refers to the failure to comply with the tenancy deposit regulations and the sanction which is claimed."

There should be no other matters specified. Please ensure that the correct parties are also specified. 2. Please provide the date that the tenancy ended with evidence, if available. 3. If you have evidence that a deposit was paid and evidence that the deposit was not lodged in a scheme, these should also be submitted. 4. Please confirm that Glasgow University is not the Applicant. The applications can only be made by the former tenants. Please also clarify if Runzhe Li is the Applicant's representative or if he is the joint Applicant. 5. Please provide a copy of the tenancy agreement. 6. According to Landlord registration the registered landlord is Linxiao Wu, at the same address as the Respondent named in your applications. Please confirm if you wish to add them as joint Respondent. Please note that applications under Rule 103 must be lodged with all required information and documents no later than 3 months after the tenancy has ended Please reply to this office with the necessary information by 26 March 2025. If we do not hear from you within this time, the President may decide to reject the application."

3. The Applicant did not respond. The Tribunal wrote again by letter of 3 April 2025:

"Before a decision can be made, we need you to provide us with the following: • It is noted that you have not responded to our request for further information. Please provide the requested information within ten days, or it is likely the applications will be rejected. • • If you no longer intend to progress the applications, it would be very helpful if you would confirm that you wish to withdraw the applications. Otherwise, it is likely that a rejection decisions will be published on our website. Please reply to this office with the necessary information by 13 April 2025. If we do not hear from you within this time, the President may decide to reject the applications."

No response was received.

Reasons for Decision

4. The Tribunal considered the application in terms of Rule 8 of the Chamber Procedural Rules. That Rule provides:-

"Rejection of application

8.-(1) The Chamber President or another member of the First-tier Tribunal under the delegated powers of the Chamber President, must reject an application if-

(a) they consider that the application is frivolous or vexatious;·
(c) they have good reason to believe that it would not be appropriate to accept the application;

(2) Where the Chamber President, or another member of the First-tier Tribunal, under the delegated powers of the Chamber President, makes a decision under paragraph (1) to reject an application the First-tier Tribunal must notify the applicant and the notification must state the reason for the decision."

5. The application seeks to proceed under Rule 103 and Regulation 9 of the Regulations. Rule 103 is in respect of applications where it is alleged the landlord has failed to protect a tenancy deposit. The Applicant has failed to provide necessary

information. The Tribunal cannot grant an order under Rule 103 without the information requested.

6. The Applicant has failed to provide necessary information and to co-operate with the Tribunal. The Tribunal consider that there is good reason why the application should not be accepted. The application is accordingly rejected.

Right of Appeal

In terms of Section 46 of the Tribunal (Scotland) Act 2014, a party aggrieved by the decision of the Tribunal 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 first seek permission to appeal from the First-tier Tribunal. That party must seek permission to appeal within 30 days of the date the decision was sent to them.

A Strain

15 April 2025

Legal Member/Chair

Date