



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/25/1025

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 111 on 6 March 2025. The application sought compensation and repayment of a tenancy deposit.
2. The application was considered by the Tribunal on 12 March 2025. The Applicant was asked to provide further information as follows:

"1. This application appears to have been lodged under the wrong Rule. If you are seeking compensation from the landlord and repayment of the deposit, it should be Rule 111, if the tenancy started after 1 December 2017 and Rule 70, if it started before this date. Please provide an amended form (this should be form F) and

ensure that it has the correct parties and Rule number and does not include any reference to the tenancy deposit scheme or regulations. It can include a request for repayment of the deposit as this is a separate matter. 2. The amended form must specify the total sum being claimed and provide a breakdown of how this is reached. It is not possible to seek a sum which is to be determined by the Tribunal, the application must be specific. 3. If the application includes any outlays that you have incurred or losses, the application should be accompanied by receipts and vouchers to evidence that. 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. Supported by the Scottish Courts and Tribunals Service www.scotcourtribunals.gov.uk 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 111. The Applicant has failed to provide necessary information. The Tribunal cannot grant an order under Rule 111 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