



**DECISION AND STATEMENT OF REASONS OF JOSEPHINE BONNAR,
LEGAL MEMBER OF THE FIRST-TIER TRIBUNAL WITH DELEGATED
POWERS OF THE CHAMBER PRESIDENT**

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

Case Reference: FTS/HPC/CV/24/4864

158A High Street, Biggar ("the Property")

Peter Grafton, 158A High Street, Biggar ("the Applicant")

1. The Applicant seeks an order for payment in terms of Rule 111 of the Procedure Rules and Section 71 of the Private Housing Tenancies (Scotland) Act 2016.
2. The Tribunal wrote to the Applicant on three occasions seeking further information and documents. The Applicant was asked to provide a copy of his tenancy agreement, clarification of the identity of the Respondent and information about the legal basis for the application and how the sum claimed was calculated. The Applicant was notified that if he failed to respond, the application might be rejected. The Applicant has failed to respond or provide the required information and documents.

Decision

3. After consideration of the application, the Legal Member considers that the application should be rejected in terms of Rule 8(1)(c) of the Procedure Rules 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."

Reasons for Decision

4. The Tribunal has given the Applicant several opportunities to address the deficiencies in the application, but he has failed to do so. He has not demonstrated a legal basis for his claim or the sum sought. He has failed to

provide a copy of his tenancy agreement or any information about the tenancy. In addition, he has failed to provide a response to requests for information from the Tribunal in terms of Rule 5(3) of the Procedure Rules. In the circumstances, the Legal Member is satisfied that there is good reason to believe that it would not be appropriate to accept the application. The application is rejected on that basis.

What you should do now

If you accept the Legal Member's decision, there is no need to reply.

If you disagree with this decision –

An applicant aggrieved by the 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 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. Information about the appeal procedure can be forwarded to you on request.

J Bonnar

Josephine Bonnar, Legal Member
19 May 2025