



**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/24/5031

70 St Vincent Street, Glasgow ("the Property")

Imran Rahim, 34 Kingway Chatham, Kent ("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. In response to a request for information and documents, the Applicant stated that he was seeking repayment of three months' rent although he also referred to a breach of the tenancy deposit regulations and a request for repayment of the deposit. On several occasions, the Applicant demanded payment by the Tribunal of the sum specified in the application, although he was advised that this was not part of the Tribunal's remit and that if the application was accepted, and an order granted, the Applicant would require to instruct Sheriff Officers to enforce it. The Applicant also failed to explain the legal basis for his claim or give a breakdown of the sum sought. A further request for information was issued on 18 March 2025. The Applicant was directed to provide an amended application form which specified the sum being sought, the basis for the application and the address of the Respondent. He was also directed to provide evidence to support his application. He failed to respond.

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 Applicant appears to have misunderstood the role of the Tribunal. Although he was on several occasions provided with information about the process, he insisted that the Tribunal should arrange for payment of a sum of money into his bank account. The application does not clearly set out the basis of the claim. There is reference to a tenancy deposit which was not repaid. However, he provided documentation that the tenancy deposit scheme had already adjudicated the dispute in relation to the deposit so the Tribunal does not have jurisdiction. The Applicant states that he is seeking to recover the equivalent of three months rent, but does not articulate why this is due. He makes reference to compensation relating to the condition of the property and other failures by the landlord, but no specification or evidence is provided. The Tribunal has given the Applicant several opportunities to address the deficiencies in the application, but he has failed to do so.
5. The Applicant has not demonstrated a legal basis for his claim. 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
29 April 2025