



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland  
(Housing and Property Chamber) under Regulation 9 of the Tenancy Deposit  
Schemes (Scotland) Regulations 2011**

**Chamber Ref: FTS/HPC/PR/25/2143**

**Re: Property at 67 Cockmuir Street, Glasgow G21 4XD (“the Property”)**

**Applicant: Grant Speers (Applicant)**

**At Glasgow on 19 August 2025 Mary-Claire Kelly a legal member of the First-tier Tribunal, “the Tribunal” with delegated powers of the Chamber President, rejected the above application in terms of Rule 8(1)(c).**

1. By application dated 13 May 2025 the applicant seeks an order for payment where a landlord has failed to carry out duties in relation to tenancy deposit under rule 103 of the First-tier Tribunal Housing and Property Chamber (Procedure) Regulations 2017.
2. The application was incomplete and appeared to be submitted under the incorrect rule as the application had been submitted by the landlord rather than the tenant. Following receipt of the application the Tribunal emailed to the applicant on 22 May 2025 requesting clarification and advising that the application appeared to have been submitted under the incorrect rule. A separate application had been submitted by the applicant under rule 111 seeking an order for payment in relation to rent arrears. No response was received from the applicant in respect of the present application and the application was not withdrawn.
3. The Tribunal sent a further email on 11 June 2025 requesting clarification. The applicant responded on 8 July 2025 stating that he was on holiday until 20 July 2025 and asking for further time after that date to submit information. An extension request was granted until 14 August 2025. No further information was

received by that date addressing the apparent incompetency of the application. Information was submitted in relation to the application seeking an order for payment under rule 111.

4. Rule 8(1)(c) states that the Chamber President must reject an application if they have good reason to believe that it would not be appropriate to accept it. The present application is incompetent as it had been submitted by the landlord under rule 103 which provides for a remedy available to tenants. The applicant has failed to respond to reasonable requests by the Tribunal for further information to clarify the basis on which the application can competently proceed. The applicant has failed to cooperate with the Tribunal in the execution of its duties.
5. The application is rejected as there is good reason to believe that it would not be appropriate to accept it.
6. It is open to the applicant to resubmit the application with the correct supporting information.

### **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.**

Mary-Claire Kelly

Legal Member/Chair

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19 August 2025  
Date