



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Rule 8(1)(c) of the First-tier Tribunal for Scotland (Housing and Property Chamber) Rules of Procedure 2017 (“the Rules”)**

**Chamber Ref: FTS/HPC/PR/25/4058**

**Re: Property at 61-63 LONDON ROAD, EDINBURGH, EH7 6AA (“the Property”)**

**Parties:**

**MISS RUOXI WANG, 1/3 LOCHRIN TERRACE, EDINBURGH, EH3 9QJ (“the Applicant”)**

**Tribunal Members: Ruth O’Hare, Legal Member with delegated powers from the Chamber President**

**Decision**

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that there is good reason to believe that it would not be appropriate to accept the application received by it on 20 September 2025. The Tribunal therefore rejects the application under Rule 8(1)(c) of the Rules.

**Background**

- 1 This is an application for a determination under regulation 10 of the Tenancy Deposit Scheme (Scotland) Regulations 2011 (“the 2011 Regulations”) that the landlord has failed to comply with the duties under regulation 3 of the 2011 Regulations. The Applicant sought an order for payment of up to three times the tenancy deposit.
- 2 In terms of rule 5(2) of the Rules, a Legal Member with delegated powers from the Chamber President reviewed the application to assess whether it had been lodged in the required manner. Following said review the Tribunal wrote to the Applicant on 6 October 2025 in the following terms:-

*“A Legal Member of the Tribunal with delegated powers of the President has considered your application. Please provide the following*

- 1. Please confirm that the name of the Respondent is correct as the tenancy agreement refers to Homes for Students Ltd*

*2. Please confirm the full address of the property as you have stated that the address is the same as the Respondent's address.*

*3. Please confirm the date that the tenancy ended and provide evidence, if available.*

*Please note that an application under Rule 103 must be lodged with all required information and documents no later than 3 months after the tenancy has ended.*

*Please respond within 14 days or your application may be rejected.*

*Please reply to this office with the necessary information by 20 October 2025."*

- 3 The Tribunal received no response from the Applicant. On 24 October 2025 the Tribunal wrote again to the Applicant advising her of the strict three month time limit from the end date of the tenancy within which to make a valid application under rule 103, and that the Tribunal had no discretion to extend this time limit. The Tribunal requested a response no later than 31 October 2025, failing which the application may be rejected.
- 4 No further response was received from the Applicant.

### **Reasons for decision**

- 5 The Legal Member considered the applications in terms of the Rules and determined that the application should be rejected in terms of Rule 8(1)(c) 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.*"
- 6 The basis of the decision is that the Applicant has failed to provide the information requested by the Tribunal. In terms of Rule 5(3) of the Rules, the Chamber President or another member of the Tribunal under the delegated powers of the Chamber President, may request further documents if it is determined that an application has not been lodged in the prescribed manner. The application in its current form does not meet the mandatory requirements for lodgement that apply to an application under Rule 103 of the Rules. The Applicant has been asked for further information on two occasions. She has been warned that a failure to provide the information may result in the application being rejected. The Applicant has therefore been given the opportunity to address the outstanding matters. Accordingly the Legal Member has concluded that the Applicant's failure to provide the information constitutes good reason to reject the applications under Rule 8(1)(c).

### **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.

Ruth O'Hare

5 November 2025

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**Legal Member/Chair**

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**Date**