

**Housing and Property Chamber**  
First-tier Tribunal for Scotland

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**DECISION AND STATEMENT OF REASONS OF NICOLA WEIR, 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/PR/25/4989**

**27H Raeburn Place, Aberdeen, AB25 1PQ ("the Property")**

**Joel Philip Georgie ("the Applicant")**

1. The Applicant lodged an application under Rule 103 of the Procedure Rules (application for order for payment where landlord has failed to carry out duties in relation to tenancy deposits) in terms of Regulation 9 of The Tenancy Deposit Schemes (Scotland) Regulations 2011 ("the 2011 Regulations"), received by the Tribunal on 19 November 2025.
2. The application was considered by a Legal Member of the Tribunal acting under delegated powers from the Chamber President under Rule 9 of the Procedure Rules. An information request was sent by email to the Applicant on 21 November 2025 advising that the application was incomplete, that various aspects of it required clarification/amendment and that it appeared to be time-barred. The Applicant stated in the application that the tenancy had ended on 20 April 2025. It was explained to the Applicant that there is a strict three-month time limit from the end date of the tenancy within which to lodge a valid, complete application under Rule 103 with the Tribunal. The three-month time limit here appeared to have expired on 20 July 2025 but this application had been lodged on 21 November 2025. The application had also been brought against the landlord's letting agent, rather than the landlord themselves and it was explained that the application must be amended to name the landlord as the Respondent and that the landlord's address was also required. Other matters were raised with the Applicant, including that there appeared from the tenancy agreement produced to be three other joint tenants and that further details were required regarding the tenancy deposit and the remedy sought in respect of this application, which appeared to be return of the deposit. A response was requested by 5 December 2025 and the Applicant reminded of the possibility of an application being formally rejected by the Tribunal if the requested information was not provided..

3. No response was received from the Applicant. The application was accordingly reviewed again by a Legal Member of the Tribunal and a reminder sent to the Applicant by email on 9 December 2025 which stated as follows:-

*“We refer to the Tribunal’s request for information dated 21 November 2025, attached. We do not appear to have received a response from you.*

*Your application cannot proceed any further without this information. If you fail to provide a satisfactory response it is likely that your application will be rejected without further notice.*

*Please reply no later than **16 December 2025**. If you require guidance with your application, you may wish to seek advice from a solicitor or advice agency. There are details of advice agencies available under the Useful Links section of our website.*

*If you require any further information, please contact us, quoting your reference number”*

The email from the Tribunal requested a response from the Applicant by 16 December 2025 but, to date, there has been no response from the Applicant.

## **Decision**

4. Following further consideration of the application, the Legal Member considers 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.”

## **Reasons for Decision**

5. Rule 5 of the Procedure Rules states that an application “is held to have been made on the date that it is lodged if, on that date, it is lodged in the manner as set out in...” the relevant Rule. In terms of Rules 5(2) and (3) the Chamber President or a Member with delegated powers must assess whether the “mandatory requirements for lodgement have been met” and “may request further documents”.
6. The Applicant has failed to meet the mandatory requirements for lodgement. These requirements have been explained to the Applicant who has been given two opportunities to provide any documentation required or clarify the position, particularly with regard to the applicant appearing to be time-barred. However, he has failed to do so. Both email communications to the Applicant made it clear that, in the absence of a response, the application may be rejected.
7. The Applicant has failed to comply with Rules 5 and 103 of the Procedure Rules and appears also to have failed to comply with Regulation 9(2) of the 2011 Regulations (time-bar). 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.**

Nicola Weir, Legal Member  
19 December 2025