



**DECISION AND STATEMENT OF REASONS OF FIONA WATSON, 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 Rules")**

in connection with

**52 2F1 Madeira Street, Edinburgh, EH6 4AU ("the Property")**

**Case Reference: FTS/HPC/CV/25/5084**

**Amirah Benramadan, 2F2, 147 Granton Road, Edinburgh, EH5 3NL ("the  
Applicant")**

1. The Applicant submitted an application under Rule 111 of the Rules. Said applicant sought an order for payment in the sum of £2,940. The application stated that this comprised repayment of all rent paid from 28 Apr 2024 until 29 September 2025. Reference was also made to repayment of £300 relating to an unprotected deposit.
2. The Applicant lodged the following accompanying documents with the application:
  - (i) 37 pages of images which appear to be screenshots of text messages.

**DECISION**

3. The Legal Member considered the application in terms of Rule 8 of the Chamber Procedural Rules. That Rule provides:-

### *Rejection of application*

**8.—(1)** *The Chamber President or another member of the First-tier Tribunal under the delegated powers of the Chamber President, must reject an application if—*

- (a) they consider that the application is frivolous or vexatious;*
- (b) the dispute to which the application relates has been resolved;*
- (c) they have good reason to believe that it would not be appropriate to accept the application;*
- (d) they consider that the application is being made for a purpose other than a purpose specified in the application; or*
- (e) the applicant has previously made an identical or substantially similar application and in the opinion of the Chamber President or another member of the First-tier Tribunal, under the delegated powers of the Chamber President, there has been no significant change in any material considerations since the identical or substantially similar application was determined.*

*(2) Where the Chamber President, or another member of the First-tier Tribunal, under the delegated powers of the Chamber President, makes a decision under paragraph (1) to reject an application the First-tier Tribunal must notify the applicant and the notification must state the reason for the decision.*

4. After consideration of the application and the documents submitted by the Applicant in support of same, the Legal Member considers that the application should be rejected on the basis that there is good reason to believe that it would not be appropriate to accept the application within the meaning of Rule 8(1)(c) of the Rules.

### **Reasons for Decision**

5. An email was sent to the Applicant on 11 December 2025 seeking the following information:
  - (i) *“Rule 111 relates to civil proceedings arising out of a private rented tenancy agreement. Please provide as copy of your tenancy agreement.*

- (ii) *You have provided 37 pages of images which appear to be screenshots of text messages. We are unable to understand what these images relate to. Please either withdraw the images and resubmit relevant screenshots with a commentary on what they relate to or provide an itemised typed list numbered 1 to 37 with a commentary for each image.*
  - (iii) *Please clarify the legal basis for your claim. You refer to a rent suspension notice but you have not provided evidence of this or how the tribunal has jurisdiction to consider this.*
  - (iv) *Please provide your calculation as to how you arrive at the sum of £2940 and provide evidence for this.*
  - (v) *It appears you may be seeking the return of a tenancy deposit. Please provide evidence that a deposit was paid. ( Please note if you are seeking a penalty for failure to lodge a deposit in an approved scheme this must be made in a separate application under rule 103 within 3 months of the tenancy coming to an end)."*
6. There was no response to the email by the Applicant. A further email was sent on 29 January 2026 seeking the information requested, failing which advising that the application may be rejected.
7. The Applicant replied by email of 12 February 2026 setting out an explanation as to the copy text messages lodged. No tenancy agreement was provided. The Applicant stated that the legal basis of the claim "*refers to the Housing and planning act 2016 and Housing Act 2004. Failure to license a House in Multiple Occupation (HMO).*"
8. A further email dated 12 March 2026 was sent to the Applicant seeking further information as follows:
- "You state that the legal basis of your claim is the landlord's failure to license a house in multiple occupation. You have cited the Housing and Planning Act 2016 which applies only to England and Wales, with the exception of specific sections that do not relate to HMO licences. You have also cited the Housing (Scotland) Act 2006. There does not appear to be any remedy within the 2006 Act that would entitle you to a refund of rent because of the lack of an HMO licence. Accordingly, you have not established a legal basis for your claim. Please consider withdrawing the application or provide a legal basis upon which your claim can proceed."*
9. There was no response to the email from the Applicant. A further email was sent to the Applicant dated 15 April 2026 seeking a response and advising that should they fail to respond, the application may be rejected. Again, there was no response to the email by the Applicant

10. The Applicant has failed to cooperate with the tribunal in their reasonable requests for information. The application is entirely lacking in specification as to the legal basis of the applicant's claim. The applicant refers to legislation which is not relevant to Scotland. A copy tenancy agreement has not been provided to show the contractual arrangement between the parties. The Legal Member therefore determines 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.

Fiona Watson  
Legal Member  
24 April 2026