



**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

1/1, 48 Nairn Street, Partick, Glasgow, G3 8SG ("the Property")

Case Reference: FTS/HPC/PR/26/3243

**Jamil Bhimji, 1232 Eastview Road, North Vancouver, BC Canada, V7J 1L6 ("the
Applicant")**

1. The Applicant seeks an Order in terms of Rule 103 of the Rules. The Applicant lodged the following accompanying documents with the application:
 - (i) Tenancy Agreement
 - (ii) Email dated 30 April 2026 stating tenancy end date
 - (iii) Evidence of transfer of £2,310 to GFlat Ltd

DECISION

2. 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.

3. 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 it would not be appropriate to accept the application within the meaning of Rule 8(1)(c) of the Rules.

Reasons for Decision

4. An email was sent to the applicant on 23 July 2026 seeking further information from the Applicant as follows:
 - (i) "Please confirm whether the tenancy deposit had been lodged with a deposit scheme or whether the alleged failure of the landlord was not to provide the relevant details.*
 - (ii) Please provide evidence from the 3 deposit schemes that it was not registered if that is why you are making the application.*
 - (iii) Please note that any application under rule 103 can only deal with a penalty against a landlord for failure to comply with the Tenancy Deposit Schemes (Scotland) Regulations 2011. It cannot deal with other matters such as repairs issues. If these need to be addressed, please make a separate application*

under the corresponding rules for the relevant matters.”

6. The Applicant failed to reply to said email. A further email was sent to the Applicant on 10 August 2026 again requesting the said information to be provided by no later than 17 August. Said email also stated to the Applicant that *“as you have stated that the tenancy ended on 31 May 2026, all documents necessary to complete this application must be submitted before 31 August 2026. Otherwise, you will be time-barred from seeking a sanction under regulations 9 of the Tenancy Deposit Schemes (Scotland) Regulations 2011.”* The Applicant again failed to reply to said email.
7. The Applicant has failed to cooperate with the tribunal in their reasonable requests for information. It is not clear whether the deposit has been lodged with a tenancy deposit scheme or not. No evidence regarding same has been provided. The legal basis of the application cannot be determined based on the documentation currently produced. 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.
8. 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
28 August 2026