



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/26/3233

Re: Property at 193 Sandbank Street, Glasgow, G20 0NF (“the Property”)

Parties:

Miss Abbie Jai Campbell, 193 Sandbank Street, Glasgow, G20 0NF (“the Applicant”)

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

Decision

The Legal Member determined that there is good reason to believe that it would not be appropriate to accept the application received by it on 13 July 2026. The Legal Member therefore rejects the application under Rule 8(1)(c) of the Rules.

Background

- 1 This is an application for a determination that the landlord has failed to comply with the duties in relation to tenancy deposits under rule 103 of the Rules and regulation 9 of the Tenancy Deposit Scheme (Scotland) Regulations 2011 (“the 2011 Regulations”). The application was received by the Tribunal on 13 July 2026.
- 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 by email on 21 July 2026 in the following terms:-

“A legal member of the First-tier Tribunal with delegated powers of the Chamber President considers that in order for the Tribunal to be able to process your application further the undernoted information/documentation is required:

1. Please provide a residential address for the landlord/respondent . You may find details of the registered landlord on the Scottish Landlord Register. The tribunal cannot accept “care of” addresses. You may also wish to ask the current letting agent for further details of the landlord. You are entitled to ask the letting agent to disclose this information in terms of section 327 of the Housing (Scotland) Act 1987. Failure to do so is an offence. Please amend the application form to show the correct address for the Respondent

2. Please clarify the relevancy of the entry regarding the Respondent's Representative as you stated that they landlord has now moved to another Letting Agent.

3. Please confirm that the tenancy is ongoing.

4. Please note that under an application in terms of rule 103 the only issue the Tribunal can deal with is the issue of the alleged non-compliance with the duties to lodge a deposit. All other matters you raise, such as repairs issues, would have to be dealt with through other applications. Please consider seeking legal advice on this.

*Please provide the information no later than **4 August 2026**. Upon receipt of the information a Legal Member will consider your response and may seek further information from you before a decision is made on whether your application can proceed. In the absence of a response your application may be rejected without further notice.*

You may wish to consult a solicitor or advice agency if you require further guidance regarding your application. The Tribunal cannot provide you with legal advice but there are details of advice agencies under the Useful Links section of the Tribunal website.

Please note that the date the application is held to be made is the date the Tribunal receives the last of any outstanding documents necessary to meet the required manner of lodgement and that applications under The Tenancy Deposit Schemes (Scotland) Regulations 2011 cannot be made later than 3 months after the tenancy has ended. It is the responsibility of the Applicant to ensure that any application is made with all necessary information/documentation within that time, regardless of any reply date stated on correspondence, otherwise the application will have to be rejected.”

- 3 On 18 July 2026 and 21 July 2026 the Applicant submitted further emails to the Tribunal which were reviewed by a Legal Member. On 7 August 2026 the Tribunal wrote again to the Applicant noting that she had not provided the information requested by the Tribunal. The Tribunal advised again that it could only deal with the issue of the failure to lodge the tenancy deposit in an application under rule 103. The Applicant was asked to provide the requested information no later than 21 August 2026 otherwise the application may be rejected.

- 4 The Tribunal received no response from the Applicant. On 1 September 2026 the Tribunal sent a final reminder to the Applicant by email stating that she must respond by 15 September 2026 or the application would be rejected.
- 5 No further response has been received from the Applicant as at the date of this decision.

Reasons for decision

- 6 The Legal Member considered the application 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.”*
- 7 In terms of Rule 5(3) of the Rules, *“if it is determined that an application has not been lodged in the prescribed manner, the Chamber President or another member of the First-tier Tribunal, under the delegated powers of the Chamber President, may request further documents and the application is held to be made on the date that the First-tier Tribunal receives the last of any outstanding documents necessary to meet the required manner for lodgement.”*
- 8 Rule 103 sets out the required manner for lodgement for an application under regulation 9 of the 2011 Regulations:-

“103. Where a tenant or former tenant makes an application under regulation 9 (First-tier Tribunal orders) of the 2011 Regulations, the application must—
(a) state—
(i) the name and address of the tenant or former tenant;
(ii) the name, address and profession of any representative of the tenant or former tenant; and
(iii) the name, address and registration number (if any) of the landlord;
(b) be accompanied by a copy of the tenancy agreement (if available) or, if this is not available, as much information about the tenancy as the tenant or former tenant can give;
(c) evidence of the date of the end of the tenancy (if available); and
(d) be signed and dated by the tenant or former tenant or a representative of the tenant or former tenant.”
- 9 The Applicant has failed to provide the information requested by the Tribunal which is mandatory for an application under Rule 103, such as an address for the landlord. 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. 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.

- 10 Accordingly, in view of the Applicant's failure to cooperate with the Tribunal in providing the required information, the Legal Member has concluded that there is good reason to reject the application 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

22 September 2026

Legal Member/Chair

Date