



**Decision and statement of Reasons of the First Tier Tribunal (Housing and Property Chamber)**

**Under Rule 8 of the First Tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 ‘the Rules’.**

In respect of application by Mr Anshul Gupta in terms of rule 111 of the Rules.

**Case reference FTS/HPC/CV/23/1518**

At Glasgow on the 12 September 2023, Lesley Anne Ward, legal member of the First –Tier Tribunal ‘the Tribunal’ with delegated powers of the Chamber President, rejected the above application in terms of Rule 8(1) (c) of the Rules

1. This is an Application by Mr Anshul Gupta in terms of rule 111 for civil proceedings arising out of a private residential tenancy agreement for 3 Southview Grove Bearsden G614GZ, ‘the property’. The Application was made on 9 May 2023. There was a separate Application in respect of repairs.
2. The inhouse convenor reviewed the Application and the Tribunal wrote to the Applicant on 20 June 2023 seeking further information as follows:

(1) Please confirm if Mrs Kaushik is to be a party to the Application or if she is content for matters to proceed in your sole name? If she is to be a party please amend the application and provide her mandate authorising you to act on her behalf. . If she is leaving matters in your name please provide written confirmation from her to this effect.

(2) There is some duplication with the repairs case which is proceeding separately. Please amend the Application to clearly state what you are seeking from the Tribunal within our jurisdiction in connection with civil proceedings and not to be confused or duplicated with the repairs case. Please note an Application for civil proceedings has no bearing on criminal prosecution and you must remove the reference to it in your Application.

(3) You have told us you have been sent a notice to leave. Please provide a copy.

(4) Please provide a time line detailing all the matters you have brought to your landlord’s attention and when.

3. The Applicant did not respond. A reminder was sent on 3 August 2023 and he did not respond.
4. In terms of Rule 8(c) of the rules I have good reason to consider that it would not be appropriate to accept this Application as it is incomplete and the Applicant has failed to cooperate with the tribunal in the execution of its duties.
5. It is open for the Applicant to resubmit the application with the correct supporting documentation.

**NOTE: What you should do now.**

If you accept this decision there is no need to reply.

If you disagree with this decision you should note the following:

An applicant aggrieved by this 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 seek permission to appeal within 30 days of the date the decision was sent them. Information about the appeal procedure can be forwarded on request.

Lesley Anne Ward

Legal Member