



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Regulation 10 of The Tenancy Deposit
Schemes (Scotland) Regulations 2011**

Chamber Ref: FTS/HPC/PR/22/2882

Re: Property at 3/1, 31 KERSLAND STREET, Glasgow, G12 8BP ("the Property")

Parties:

**Miss Ruochen Tang, PRG Hub, Level 4 School Of Social And Political Science Adam
Smith Building, Glasgow, G12 8RT ("the Applicant")**

Mr Jin Huang Lei, 45 Bernisdale Drive, Glasgow, G15 8BB ("the Respondent")

Tribunal Members:

Gillian Buchanan (Legal Member)

Decision (in absence of the Applicant)

At the Case Management Discussion ("CMD") which took place by telephone conference on 16 January 2023 the Respondent's representative, Mr Jiang Lei was in attendance. The Respondent was not in attendance. The Applicant was not in attendance nor was she represented.

The CMD was intimated to the Applicant by email on 29 November 2022. The tribunal was therefore satisfied that the requirements of Rule 24(1) of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 ("the Rules") had been satisfied relative to the Applicant having received notice of the CMD and determined to proceed in the absence of the Applicant in terms of Rule 29.

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined that:-

Background

A CMD had previously taken place on 7 November 2022 attended by the Applicant and Mr Lei for the Respondent. The Applicant then intimated she required an interpreter. The CMD was continued to 16 January 2023 for an interpreter to attend.

The CMD

The Tribunal joined the CMD conference call at 10.08am. The Applicant had not dialled in.

An interpreter had been booked to attend the CMD. The interpreter had not joined the conference call for unknown reasons.

The Respondent's Submissions

Mr Lei indicated that he had hoped the CMD would proceed. He said that the Applicant's written and spoken English is "way beyond adequate". She is a post-graduate student at Glasgow University.

He asked that the application be refused given the Applicant's absence.

Reasons for Decision

The Applicant did not join the CMD. By the time Mr Lei had concluded his submissions it was 10.13am and the Applicant was still absent.

The Tribunal had no explanation from the Applicant as to her non-attendance.

Decision

The Tribunal refused the application.

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.

Gillian Buchanan

Legal Member/Chair

16 January 2023

Date