



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 David Rigby in terms of rule 111 of the Rules.

Case reference FTS/HPC/CV/25/5078

At Glasgow on the 10 December 2025, 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 David Rigby in terms of rule 111 of the Rules. There was a second application in terms of rule 103 which is ongoing.
2. The application was dated 20 November 2025 and was entered in the case management system of the tribunal chamber on 26 November 2025.
3. The in-house convenor reviewed the applications on 3 December 2025 and the tribunal wrote to the applicant on that date as follows:

Before a decision can be made, we need you to provide us with the following:

- We require an address for the Respondent. The application cannot be accepted without this. If you cannot source an address, you may wish to consider applying for Service by Advertisement, which must be accompanied by a negative tracing report from a tracing agency or sheriff officer. Please let us know if you require further time to carry out tracing enquiries.
- You have lodged 141 pages of unredacted bank statements. Please withdraw these statements. The volume is excessive and it is not clear what you are trying to achieve by lodging them. If there are individual statements within the 141 pages that are of importance, please submit those pages only. An example of information that would be relevant is evidence of payment of the tenancy deposit, which you must provide. You may wish to

redact any personal information that is not relevant to the application, as all documentation will be shared with the Respondent.

- The legal basis of your application is unclear – please explain why you believe you are due a full refund of all rent. You may wish to take advice on this matter.
- If you wish to make a claim for the return of rent paid following unlawful rent increases, you must specify at part 5(c) of the form exactly what sum is sought
- The Tribunal has no power to order licensing, registration, or future compliance. The Tribunal can and will report unregistered landlords to the relevant authority. You may wish to take advice as to your options for reporting the landlord in respect of any of these issues.
- You may wish to consider making an application under the repairing standard if you believe the property does not meet the repairing standard. Please reply to this office with the necessary information by 17 December 2025. If we do not hear from you within this time, the President may decide to reject the application

4. The applicant responded on 25 November 2025 as follows:

I will redact the bank statements apart from between the dates of 01/11/21- 10/11/21 as that will have proof of payment of my deposit, I sent them as proof of rent payments over the years but if they have no relevance please destroy them.

My land lord is registered at this address although he does not live here- 6/5 Wester Hailes Park, Edinburgh, EH14 3AE.

I don't know the legal basis for getting my rent back either, All I know is that my landlord is operating illegally and has been for some time so I believe my rent comprises ill gotten gains, I have received housing benefit at times too so he has made money from the state too without following any of the rules. I want to see if there are any consequences for people who just do whatever they want or not. I have lived without any sense of security for years and he has profited hugely from his illegal operation.

I am surprised I have to prove that he hasn't put my deposit in a scheme, rather than him having to prove he has, I never received anything to say he has or where my money is being kept. He demanded deposit payment over Whatsapp and that's all.

I'll be in touch when I have the proof.

5. I have reviewed this application today and I have decided to reject it under rule 8 (1) (c).

Reasons

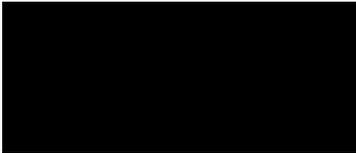
6. Rule 8(1)(c) requires the President or someone acting under the delegate authority of the President to reject an application if they have a good reason to believe it would not be appropriate to accept it. The applicant is ostensibly seeking a payment order from his landlord. He has failed to set out the legal basis for his claim, the amount he is seeking or any relevant supporting documentation. He has also failed to provide a current address for his landlord.
7. The application therefore has to be rejected.
8. It is open to the applicant to resubmit the application with supporting information.

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