



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 Cullen Slaid in terms of rule 103 of the Rules.

Case reference FTS/HPC/PR/26/2901

At Glasgow on the 12 August 2026, 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 Cullen Slaid for a penalty regarding a tenancy deposit in terms of rule 103 of the Rules.
2. The application was dated 23 June 2026 and was entered in the case management system of the Tribunal Chamber on 25 June 2026.
3. The in-house convenor reviewed the application and the Tribunal wrote to the applicant on 2 July 2026 as follows:

Thank you for your recent application which has been reviewed by a Legal Member of the Tribunal with delegated powers of the President. Please provide the following further information :

- (1) The tenancy agreement indicates there were two tenants. Please clarify whether the joint tenant is to be a joint applicant.
- (2) The tenancy agreement indicates the landlord was Gary Georgeson. In the application the Respondent is DWF LLP. The Respondent should be your former landlord. Please submit a revised application.
- (3) The application is made under rule 103 which relates to a landlord’s failure to comply with their obligations under the Tenancy Deposit Schemes (Scotland) Regulations 2011. You have indicated that the tenancy ended on 15 July 2024. Applications for compensation under rule 103 must be made within 3 months

of the tenancy ending. The tribunal has no discretion to allow late applications. Your application appears to be time barred and should be withdrawn. If it is not withdrawn it will be rejected with a decision stating that published on the Tribunal website.

(4) You also appear to seek return of your deposit. If that is the case you should make a separate application of form F under rule 111.

(5) You refer to a wish to “escalate” the question of your former landlord not being registered. The Tribunal has no jurisdiction to deal with that. Please reply to this office with the necessary information by 16 July 2026.

4. The applicant responded on 12 July 2026 as follows:

- (1) In terms of the tenancy agreement stating two tenants, as I was the only tenant to contribute to the deposit I am raising this issue on behalf of myself only.
- (2) The form has been updated to clearly state Gary Georgeson as the Landlord.
- (3) Form F Rule 111 form attached. In terms of withdrawing the Form G, how am I able to do this securely?
- (4) I have removed this request if the first tier tribunal has no jurisdiction here.

5. The applicant did not formally withdraw the application. The in-house convenor reviewed the application again and the following request for information was sent on 23 July 2026:

Please confirm that you are withdrawing the application made under rule 103 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017, being application reference number FTS/HPC/PR/26/2901.

- We note that you have lodged a new application which bears to ne lodged under rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 and this has been given reference FTS/HPC/CV/26/32783278
- In that application you indicate you are seeking an order of three times the amount of the deposit you paid because the deposit was never paid to a tenancy deposit scheme . Please explain the legal basis of this claim. You were invited to lodge a rule 111 application as an application to recover the deposit which you paid and which you indicated was not refunded to you at the end of the tenancy. This rule cannot be used as an attempt to lodge the type of claim which can be made under rule 103 but which is time barred
- With regard to the rule 111 application please relodge the tenancy agreement, evidence of the deposit paid and please confirm whether any of the deposit was returned to you at the end of the tenancy. Please also set out clearly the amount you are claiming in this application together with supporting reasons for this claim.

6. The applicant has not responded.

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

Reasons

8. In terms of rule 8(1)(c) the Tribunal President must reject an application if they have good reason to consider it would not be appropriate to accept it. The applicant has indicated he wishes to withdraw the application. It appears to be time barred and has made another application in terms of rule 111. He has failed to respond to the tribunal’s request for information of 23 July 2026 and he has failed to formally withdraw the application.

He has therefor failed to cooperate with the Tribunal in the execution of its duties, and this is a good reason to refuse to accept the application. The application therefore has to be rejected.

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