



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 of the Private Housing (Tenancies) (Scotland) Act 2016**

**Chamber Ref: FTS/HPC/CV/22/3623**

**Property : 77 First Floor Left, Urquhart Road, Aberdeen AB24 5ND (“Property”)**

**Parties:**

**Kym McIntyre, 33 Simpson Road, Bridge of Don, Aberdeen AB23 8EP (“Applicant”)**

**Gordon Henry, 28 Burnside Way, Balmeadie, Aberdeenshire AB23 8XW (“Respondent”)**

**Stewart & Watson, 65 High Street, Banff AB45 1AN (“Respondent’s Representative”)**

**Tribunal Members:**

**Joan Devine (Legal Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“Tribunal”) determined to dismiss the Application.**

**Background**

The Applicant sought an order for payment of £415 in respect of a deposit paid to the Respondent. The Applicant had lodged Form F and supporting documents. A Case Management Discussion (“CMD”) took place on 9 March 2023. Reference is made to the Note of the CMD. The Tribunal issued a direction dated 9 March 2023 asking Parties to confirm whether the dispute had settled. The Respondent’s Representative replied by email dated 13 March 2023 advising that the sum claimed had been paid and therefore the dispute had settled. The Applicant did not reply. The Tribunal issued a further direction dated 3 April 2023. The Applicant responded by email dated 4 April 2023 advising that she had received payment of the sum claimed.

### **Reasons for the Decision**

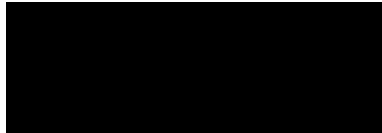
The sum claimed had been paid by the Respondent to the Applicant.

### **Decision**

The Tribunal determined to dismiss 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.**



**Joan Devine  
Legal Member**

**Date : 12 April 2023**