



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland  
(Housing and Property Chamber) under Section 16 of the Housing (Scotland)  
Act 2014**

**Chamber Ref: FTS/HPC/CV/22/1441**

**Re: Property at 11 Herriet Street, Pollokshields, Glasgow, G41 2NN (“the  
Property”)**

**Parties:**

**Mrs Nasim Hussain, 11 Niddrie Road, Flat 2/1, Glasgow, G42 8NT (“the  
Applicant”)**

**Mrs Naheed Ameen, 69 Langhau Road, Glasgow, G53 7SE (“the Respondent”)**

**Tribunal Members:**

**Alison Kelly (Legal Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the  
Tribunal”) determined that an order for payment in the amount of £850 should  
be made.**

**Background**

The Applicant lodged an application on the 16<sup>th</sup> May 2022 under Rule 111 of the First  
Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations  
2017 (“the Rules”) seeking an order for repayment of a deposit.

Lodged with the application were:

1. Tenancy Agreement showing a commencement date of 1<sup>st</sup> January 2019 with  
a rent of £850 per month and a deposit of £850
2. Confirmation from the three deposit schemes that nothing was lodged
3. WhatsApp Chat messages

The papers were served by Sheriff Officer on 21<sup>st</sup> July 2022.

Various emails were sent in by the parties and crossed over for response.

### **Case Management Discussion**

The Case Management Discussion (“CMD”) took place by teleconference. The Applicant was represented by her son, Naveed Hussain. The Respondent represented herself.

The Chairperson introduced everyone and explained the purpose of a CMD in terms of Rule 17.

The Chairperson confirmed with Mr Hussain that the applicant’s case essentially was that she had paid £850 by way of deposit, and it had not been returned at the end of the tenancy.

The Respondent accepted that the money had not been returned and confirmed that she was willing to return it.

### **Findings In Fact**

1. The parties entered in to a tenancy agreement in respect of the property;
2. The commencement date was 1<sup>st</sup> January 2019;
3. A deposit of £850 was paid;
4. The tenancy ended on 1<sup>st</sup> May 2022;
5. The deposit was not returned at the end of the tenancy.

### **Reasons For decision**

The deposit of £850 was due to the Applicant at the end of the tenancy and the Respondent had not paid it back.

### **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.

**Alison Kelly**

Legal Member/Chair

Date: 19/08/2022