



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/24/5059

Re: 12 Raasay Court, Portree, Highland IV51 9TG (“the Property”)

Parties:

Laura Jane Carey, Coolin Lodge, Coolin Hills Estate, Highland IV51 9LU (“Applicant”)

Liam MacGregor, 18 Seaforth Road, Ullapool, IV26 2UY (“Respondent”)

Tribunal Members:

Joan Devine (Legal Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“Tribunal”) determined that an order for payment of £1,000 should be made.

Background and Documents Lodged

1. The Applicant sought an order for payment of £1000 in respect of a deposit paid by the Applicant to the Respondent. The Applicant had lodged Form F along with a tenancy agreement between the Applicant and the Respondent which commenced on 15 January 2024; a screenshot of a bank transfer of £2000 on 15 January 2024 and a screenshot of text messages between the Parties regarding return of the deposit.

Case Management Discussion (“CMD”)

2. A CMD took place on 30 May 2025 by conference call. The Applicant was in attendance along with her husband Meton Gila. There was no appearance by the Respondent.
3. The Tribunal noted that the tenancy agreement provided for payment of rent at the rate of £1000 per month and for a deposit of £1000 to be paid at the start of the tenancy. The Tribunal also noted the screenshot of a bank transfer of £2000 at the beginning of the tenancy to “Liam”. The Applicant told the Tribunal that she had vacated the Property on 5 August 2024. She said she had

exchanges with the Respondent about the state of the Property and he had said all was fine and the Property “looked good”. She said she had not had any contact with the Respondent since then.

Findings in Fact

The Tribunal made the following findings in fact:

1. The Applicant and the Respondent entered into a tenancy agreement which commenced on 13 January 2024.
2. The tenancy came to an end on 5 August 2024.
3. The Applicant paid to the Respondent a deposit of £1000 on or about 15 January 2024.
4. The Respondent did not return the deposit to the Applicant after the tenancy ended.

Reasons for the Decision

4. The tenancy agreement provided for payment of a deposit of £1000 at the start of the tenancy. The Tribunal had seen evidence of the deposit having been paid on 15 January 2024. The Respondent had not attended the case management discussion to provide any reason for the deposit not being returned to the Applicant following the end of the tenancy. The Tribunal determined that the Respondent is obliged to pay to the Applicant the sum of £1000 in respect of the deposit.

Decision

5. The Tribunal grants an order for payment of £1000.

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 : 30 May 2025