



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber)**

Reference number: FTS/HPC/CV/24/4035

Order granted on 12 June 2025 in absence of the Respondent

Property: 1/6 Mercat Court, 6 Walls Street, Glasgow G1 1PA

Parties:

Miss Olga Kwarcińska-Gil, residing at Lipowa 9, Jaworze 43-384, Poland (“the Applicant”)

Ms Cheryl Campbell, residing at 2/2 The Gables, 18 Newburgh Street, Glasgow, G43 2XR (“the Respondent”)

Tribunal Members:

Paul Doyle (Legal Member)

Decision (in absence of the Respondent)

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

Background

The Applicant sought an order for payment totalling £1,400.00. The Applicant had lodged with the Tribunal Form F. The documents produced included a Tenancy Agreement, proof of payment of a deposit of £1400, and evidence of termination of the tenancy.

Case Management Discussion

A case management discussion took place by telephone conference at 2.00pm on 12 June 2025. The Applicant was present and unrepresented. The respondent was neither present nor represented. The case file reveals that the applicant has had adequate notice of the time, date and method of joining the hearing. No application is made for adjournment. I can justly determine this application in the respondent's absence.

Findings in Fact

The Tribunal made the following findings in fact:

1. The Applicant and the Respondent entered into a private residential tenancy agreement for the Property dated 21 September 2021.
2. Before taking entry, the applicant paid a rental deposit of £1400.
3. On 23/02/2024 the applicant served notice that the lease would end on 24/03/2024. By 24/03/2024 the applicant had vacated the property, returned the keys, and surrendered possession of the property to the respondent.
4. The respondent has no reason to withhold any part of the deposit. The deposit has not been repaid to the applicant.
5. The respondent owes the applicant £1400.

Reasons for Decision

6. The applicant paid a deposit of £1400 which has been retained by the respondent. The respondent has no reason to retain all or any part of the deposit. The tenancy ended 15 months ago.
7. The respondent offers no resistance to the application for a payment order. The respondent owes the applicant £1,400.
8. For these reasons the Tribunal determined to make an Order for payment.

Decision

The Tribunal determined to make an Order for payment.

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.

Where such an appeal is made, the effect of the decision and of any order is suspended until the appeal is abandoned or finally determined by the Upper Tribunal, and where the appeal is abandoned or finally determined by upholding

the decision, the decision and any order will be treated as having effect from the day on which the appeal is abandoned or so determined.

P.Doyle

Legal Member

Date 12 June 2025