



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 (1) of the Private Housing (Tenancies) (Scotland) Act 2016 (Act)

Chamber Ref: FTS/HPC/CV/24/2209

Re: Property at 1/2 39 Regent Moray Street, Glasgow, G3 8AL (“the Property”)

Parties:

Miss Ummugulsum Demir, 3/4 29 College Street, Glasgow, G1 1QH (“the Applicant”)

Mr Adil Mahmood, Mr Rabee Harb, 21-2 Steads Place, Edinburgh, Midlothian, EH6 5DY; Flat 11, 81 George Street, London, W1U 8AQ (“the Respondent”)

Tribunal Members:

Alan Strain (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 be granted in the sum of £250.

Background

This is an application under Rule 111 of ***The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (Rules)*** and section 71(1) of the Act in respect of a claim for payment of a tenancy deposit.

The Tribunal had regard to the following documents lodged in advance of the Hearing:

1. Application received 14 May 2024;
2. Email exchange between the Parties regarding tenancy and deposit payment dated 2 January 2024;
3. Correspondence with tenancy deposit schemes confirming no deposit held;
4. Tenancy Documents.

Case Management Discussion (CMD)

The case called for a CMD by conference call on 28 May 2025. The Applicant participated and represented herself. The Respondent did not participate and was not represented.

The Tribunal delayed the start of the CMD to see if the Respondent would participate but they did not.

The Tribunal were satisfied that the Respondent had received notification of the Case Management Discussion and that the Tribunal could determine the matter if it considered it had sufficient information to do so and the procedure was fair. The notification also advised the Respondent that they should attend and the Tribunal could determine the matter in absence if they did not.

The Tribunal then considered the documentary evidence it had received from the Applicant and in so far as material made the following findings in fact:

1. The Parties let the subjects under a PRTA commencing 5 January 2024;
2. The Applicant paid a deposit of £250;
3. The Applicant vacated the Property on 30 April 2024 and the deposit was not repaid to her.

Decision and Reasons

The Tribunal was satisfied that in the circumstances the Applicant was due repayment of the deposit from the Respondent and granted the order sought in the amount of £250.

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.

Legal Member: Alan Strain

Date: 28th May 2025

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