

Housing and Property Chamber
First-tier Tribunal for Scotland



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/25/0628

Re: Property at 2/1 114 Dalmarnock Road, Glasgow, G40 4DD (“the Property”)

Parties:

Ms Sian Martis, Ms Ayesha Mathur, B-51, Sector-14, Raghunath Vihar, Kharghar, Navi Mumbai, Maharashtra, 410210, India; 1-82, First Floor, South City-2, Sector 50, Gurugram, 122018, India (“the Applicant”)

Mr Gregory Dykes, UNKNOWN, UNKNOWN (“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 £917.

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 13 February 2025;
2. Email and text exchange between the Parties regarding tenancy and deposit payment on 1 November 2022;
3. PRTA commencing 4 November 2022;
4. Correspondence between the Parties confirming tenancy end date and non-return of deposit.

Case Management Discussion (CMD)

The case called for a CMD by conference call on 28 May 2025. The Applicants participated and represented themselves. 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 Applicants and in so far as material made the following findings in fact:

1. The Parties let the subjects under a PRTA commencing 4 November 2022;
2. The Applicants paid a deposit of £917;
3. The Applicants vacated the Property on 4 January 2025 and the deposit was not repaid to them.

Decision and Reasons

The Tribunal was satisfied that in the circumstances the Applicants were due repayment of the deposit from the Respondent and granted the order sought in the amount of £917.

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