



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

Chamber Ref: FTS/HPC/CV/24/5844

Re: Property at 5D Bank Street, Dundee, DD1 1RL (“the Property”)

Parties:

Miss Mia MacDonald, 59 Miller Road, Inverness, IV2 3EN (“the Applicant”)

West One Properties, No 1, 2 Blinshall Street, Dundee, DD1 5DS (“the Respondent”)

Tribunal Members:

Mary-Claire Kelly (Legal Member)

Decision (in absence of the parties)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined to dismiss the application for want of insistence

Reason for the decision

1. By application dated 23 December 2024 the applicant sought an order for payment in the sum of £900 plus interest in respect of advance rental payment charges.
2. A case management discussion (“cmd”) was scheduled for 5 August 2025 via teleconference.
3. An email was received from the respondent’s solicitor on 30 July 2025 stating that the matter had been settled on a without prejudice basis and that the applicant would require to withdraw the application.
4. No further correspondence was received in advance of the cmd.

5. Neither party attended the cmd. In the circumstances the Tribunal determined to dismiss the application for want of insistence.

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.

Since an appeal is only able to be made on a point of law, a party who intends to appeal the tribunal's decision may wish to request a Statement of Reasons for the decision to enable them to identify the point of law on which they wish to appeal. A party may make a request of the First-tier Tribunal for Scotland (Housing and Property Chamber) to provide written reasons for their decision within 14 days of the date of issue of this decision.

Where a Statement of Reasons is provided by the tribunal after such a request, the 30 day period for receipt of an application for permission to appeal begins on the date the Statement of Reasons is sent to them.

MC.Kelly

Legal Member/Chair

05 August 2025 _____
Date