



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 (“the Act”) and Rule 111 of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”)

Chamber Ref: FTS/HPC/CV/25/0118

Re: Property at 5A Hunter Place, Aberdeen, AB24 5NF (“the Property”)

Parties:

Mr Mir Mezbah Ahmed Tanim, 19G Short Loanings, Aberdeen, AB25 2TA (“the Applicant”)

GK Properties Aberdeen Ltd, 605 King Street, Aberdeen, AB24 1SA (“the Respondent”)

Tribunal Members:

Karen Moore (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 of FIVE HUNDRED AND TWENTY FIVE POUNDS (£525.00) sterling be granted.

Background

1. By application received between 13 January 2025 and 25 March 2025 (“the Application”), the Applicant applied to the Tribunal for a payment order requiring the Respondent to make payment of the tenancy deposit of £525.00 paid by him. The Application comprised a copy of a private residential tenancy agreement between the Parties and evidence of payment of the tenancy deposit.
2. The Application was accepted by the Tribunal and a Case Management Discussion (the “CMD”) was fixed for 8 September 2025 at 10.00 by telephone conference. The CMD was intimated to the Parties, and, in particular, was

served on the Respondent by Sheriff Officer on 30 July 2025. Said Sheriff Officer service advised the Respondent that they should attend the CMD.

3. Prior to the CMD, the Respondent submitted an email which appeared to be offering to provide reasons for not returning the tenancy deposit to the Applicant but no supporting evidence was submitted.

CMD

4. The CMD took place on 8 September 2025 at 10.00 by telephone conference by telephone. The Applicant, Mr. Tanim, took part on his own behalf. The Respondent did not take part and was not represented. They did not submit further representations. The Tribunal was satisfied the Respondent was aware of the proceedings and was aware that they ought to attend the CMD. Therefore, the Tribunal proceeded in their absence.
5. Mr. Tanim confirmed to the Tribunal that he sought a payment order for £525.00, being the tenancy deposit paid by him and not returned to him by the Respondent.

Findings in Fact

6. From the Application and the CMD, the Tribunal made the following findings in fact,:-
 - i) There had been a tenancy of the Property between the Parties;
 - ii) The Applicant paid a tenancy deposit of £525.00 to the Respondent at the beginning of the tenancy;
 - iii) The tenancy deposit has refundable at the end of the tenancy;
 - iv) The Respondent did not return the tenancy deposit to the Applicant at the end of the tenancy;
 - v) The Applicant is entitled to an order for £525.00.

Decision and reasons for the decision

7. The Tribunal had regard to Rule 17(4) of the Rules which states that the Tribunal “may do anything at a case management discussionincluding making a decision” Having found in fact that the Respondent is due and owing to the Applicant for the sum of £525.00, the Tribunal proceeded to make an order for payment in this sum

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.

Karen Moore

Legal Member/Chair

8 September 2025
Date