



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Regulation 9 of the Tenancy Deposit
Schemes (Scotland) Regulations 2011**

Chamber Ref: FTS/HPC/PR/25/0698

Re: Property at 36 Hawkhill Road, Alloa, FK10 1SA (“the Property”)

Parties:

Miss Rachel Robertson, 10 Thistle Street, Alloa, FK10 1SF (“the Applicant”)

Mr Edward Gallagher, 223 Ayr Road, Glasgow, G77 6AH (“the Respondent”)

Tribunal Members:

Mary-Claire Kelly (Legal Member)

Decision (in absence of the Applicant)

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 accepted on 9 April 2025 the applicant sought an award under regulation 9 of the Tenancy Deposit Schemes (Scotland) Regulations 2011.
2. A case management discussion was scheduled for 5 September 2025 at 10am via teleconference.
3. The respondent Mr Gallagher attended the teleconference. The applicant did not attend the teleconference and was not represented. The Tribunal clerk telephoned the applicant on a number provided in the application shortly after 10am. The call was not answered, a message was left advising the applicant to join the teleconference. She failed to do so.
4. The applicant had been notified of the teleconference and provided with details of how to participate by letter dated 24 July 2025. The Tribunal was satisfied

that the applicant had been given reasonable notice of the case management discussion in terms of rule 17.2. The Tribunal determined that the application should be dismissed 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.

Mary-Claire Kelly

Legal Member/Chair

5 September 2025_____
Date