



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

Chamber Ref: FTS/HPC/CV/24/5867

Re: Property at 4/20 Lindsay Road, Edinburgh, EH6 4EP (“the Property”)

Parties:

Mr Sam Tomlinson, 51/a Caledonian Crescent, Edinburgh, EH11 2AT (“the Applicant”)

Mr Prithri Singh, address unknown (“the Respondent”)

Tribunal Members: Mr Nairn Young

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that

- Background

This is an application for an order for repayment of a deposit paid to the Respondent in terms of the Applicant’s private residential tenancy agreement with him. It called for case management discussion (‘CMD’) at 2pm on 27 October 2025, by teleconference. The Applicant was on the call in-person. The Respondent was not on the call or represented.

Notice of the application and the CMD was served by advertisement placed on the Tribunal website on 12 September 2025. The Tribunal therefore considered that proper notice had been given and that it was fair to proceed on the basis the matter was unopposed.

- Findings in Fact

The Tribunal considered the following unopposed facts as relevant to its decision:

1. The Applicant agreed to rent the Property from the Respondent in terms of a private residential tenancy agreement with a start date of 1 November 2024.
2. In terms of the tenancy agreement, a deposit of £775 was to be paid by the Applicant.
3. In the event, the Applicant paid the deposit in two instalments of £100 and £675, on 29 and 30 October 2024, respectively.
4. When the Applicant arrived at the Property it was in very poor condition, such that he could not occupy it.
5. The Respondent said that he would arrange for cleaning and decoration work, but did not do so.
6. The Applicant returned the keys to the Respondent on 7 November 2025. Shortly thereafter, the Respondent listed the property for let again.
7. The Respondent has not returned the Applicant's deposit.

- Reasons for Decision

8. The Respondent has given no reason why he might be entitled to retain the deposit paid in this case and no reason to do so can be gleaned from the facts. It follows that the deposit should be returned in full. The Respondent having failed to do so, the Applicant is entitled to an order for payment of that amount.

- Decision

Order granted for payment by the Respondent to the Applicant of the sum of SEVEN HUNDRED AND SEVENTY-FIVE POUNDS STERLING (£775).

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.

Nairn Young

Legal Member/Chair

Date: 27th October 2025