



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Regulation 10 of the Tenancy Deposit Schemes (Scotland) Regulations 2011

Chamber Ref: FTS/HPC/PR/25/2182

Re: Property at 3/2 4 Greenbank Street, Glasgow, G73 1JU (“the Property”)

Parties:

Mr Jack Benton, Gamekeepers Cottage, Hunthall, Duns, Scottish Borders, TD11 3RB (“the Applicant”)

Mr Cameron Scott, UNKNOWN, UNKNOWN (“the Respondent”)

Tribunal Members:

Nairn Young (Legal Member)

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 payment of a sanction in relation to an alleged failure on the part of the Respondent to pay a tenancy deposit paid to him by the Applicant into an approved scheme and carry out the other duties incumbent on him in terms of reg.3 of the Tenancy Deposit Schemes (Scotland) Regulations 2011 (‘the Regulations’). It called for a case management discussion (‘CMD’) at 10am on 3 November 2025, by teleconference. The Applicant was on the call by in-person. The Respondent was not on the call and was not represented.

Service of the application and CMD details was effected by advertisement placed on the Tribunal's website on 30 September 2025. The Tribunal was satisfied that it was reasonable to proceed on the basis that the matter was therefore undefended.

- Findings in Fact

1. The Respondent entered into a private residential tenancy agreement with the Applicant in respect of the Property, with a start date of 13 March 2024.
2. In terms of that agreement, a deposit of £250 was paid by the Applicant.
3. The Respondent did not pay the deposit into an approved scheme or provide the information required by reg.3 of the Regulations.
4. The tenancy was terminated on 28 February 2025.
5. The Respondent refused to return the deposit, necessitating a separate action for payment on the part of the Applicant.
6. The Respondent lied to the Applicant in asserting that the deposit had been paid into an approved scheme.
7. The Respondent is a landlord of at least one other property.
8. The Respondent was not registered as a landlord in respect of the Property.

- Reasons for Decision

9. The Respondent has shown a worrying disregard for the duties incumbent upon him as a landlord. This is evident not just from his complete failure to comply with the terms of reg.3 of the Regulations; but also from his failure to register as a landlord at the Property. These failings have been compounded by his lying to the Applicant about the deposit and refusing to return it. Although not a career landlord, he is landlord to at least one other property,

which further raises concern as to the wider impact of these failings and removes any mitigation there may have been on account of his ignorance.

10. In these circumstances, the Tribunal considered that only a sanction at the top end of the scale would be sufficient to reflect the gravity of the Respondent's failure. It therefore granted an order for payment to the Applicant of three times the deposit, or £750.

- Decision

Order made for payment by the Respondent to the Applicant of the sum of SEVEN HUNDRED AND FIFTY POUNDS STERLING (£750).

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.

N. Young

Legal Member/Chair

03-11-25
Date