

Housing and Property Chamber
First-tier Tribunal for Scotland



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under the Tenancy Deposit Schemes (Scotland) Regulations 2011 ("The Regulations") and Section 71 (1) of the Private Housing (Tenancies) (Scotland) Act 2016 ("The Act")

Chamber Ref: FTS/HPC/PR/24/0670 and FTS/HPC/CV/24/0907

Re: Property at 90(2F1) South Clerk Street, Edinburgh, EH8 9PT ("the Property")

Parties:

Mr Andres Garcete, Miquel Rossello y alemany 1 1 door 11, Palma, Mallorca, 07015, Spain ("the Applicant")

Mr Basharat Pervaze, 1 Hutchison Cottages, Edinburgh, EH14 1PX ("the Respondent")

Tribunal Members:

Andrew McLaughlin (Legal Member) and Eileen Shand (Ordinary Member)

Decision (in absence of the Applicant and the Respondent)

[1] The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") refused the Applications.

[2] When this Application called for a Hearing in George House, George Street, Edinburgh at 10 am on 30 October 2025, there was no appearance by either party. The Tribunal waited 15 minutes to see if anyone would appear. Both parties had received notification of the date and time of the Hearing. There was no explanation for the non-attendance on behalf of the Applicant whose representative had been involved and received notification of the Hearings. Parties had also previously been allowed 14 days to email the Tribunal with any dates to avoid. There appeared no good reason for the non-attendance of the parties at the Hearing.

[3] Accordingly, the Tribunal refused 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.

Andrew McLaughlin

Legal Member/Chair

30 October 2025

Date