

**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber)**

Chamber Ref: FTS/HPC/PR/25/1930

Re: Property at 164/6 Great Junction Street, Edinburgh, EH6 5LJ (“the Property”)

Parties:

Ms Rosamund Baily, 11/1L Baxter Park Terrace, Dundee, DD4 6NN (“the Applicant”)

Mr Blair Niven, 116 Pilton Avenue, Edinburgh, EH5 2JZ (“the Respondent”)

Tribunal Members:

Virgil Crawford (Legal Member)

Decision (in absence of the Respondent)

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

BACKGROUND

1. The Applicant is a former tenant of the Respondent.
2. No copy lease was provided to the Tribunal although other information before it confirmed the tenancy start date was 10 September 2024.
3. A tenancy deposit was paid. It was lodged with an approved tenancy deposit scheme on 20 February 2025.
4. On 4 May 2025 the Applicant presented an Application to the Tribunal seeking to have a penalty imposed upon the Respondent for failing to comply with Tenancy Deposit Schemes (Scotland) Regulations 2011

CASE MANAGEMENT DISCUSSION

5. A Case Management Discussion was assigned to be conducted by teleconference at 2pm on 22 August 2025. The Applicant was represented by Direct Lettings (Scotland). The Applicant, however, did not participate in the Case Management Discussion.

6. In the circumstances, the Application was dismissed for want of insistence.

DECISION

The Tribunal dismissed the application.

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.

Virgil Crawford

22nd August 2025

Legal Member/Chair

Date