



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

Chamber Ref: FTS/HPC/PR/25/0091

Re: Property at 125 Clyde Street, Carluke, ML8 5BG (“the Property”)

Parties:

Mrs Amanda Breen, 112 Glenafeoch Road, Carluke, ML8 4DS (“the Applicant”)

**Ms Debbie or Deborah Glen, 1 Sanderson Terrace,, Auchtertool, Fife, KY2 5XN
 (“the Respondent”)**

Tribunal Members:

Ruth O'Hare (Legal Member)

Decision (in absence of the Applicant)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) dismissed the application.

Background

- 1 This is an application under rule 103 of the First-tier Tribunal for Scotland (Housing and Property Chamber) Rules of Procedure 2017 (“the Rules”) and regulation 9 of the Tenancy Deposit Scheme (Scotland) Regulations 2011 (“the 2011 Regulations”). The Applicant sought a determination that the Respondent was in breach of regulation 3 of the 2011 Regulations as the Respondent had failed to pay the Applicant’s tenancy deposit into a tenancy deposit scheme.
- 2 The application was referred to a case management discussion (“CMD”) to take place by teleconference on 12 July 2025. The Tribunal gave notice of the CMD to the parties in accordance with Rule 17(2) of the Rules. Said notice was served upon the Respondent personally on 7 April 2025.
- 3 The Tribunal invited both parties to make written representations in advance of the CMD. No written representations were received from the parties.

The CMDs

- 4 The first CMD took place on 12 July 2025 at 10am by teleconference. The Applicant joined the call. The Respondent did not. Following the CMD the Tribunal received an email from the Respondent advising that she had been unable to attend as her child had fallen ill.
- 5 As a preliminary matter, the Tribunal raised an issue with the competency of the application. The Tribunal invited the Applicant to seek independent legal advice and submit written submissions as to why she believed the application was competent. A Direction was issued requiring the Applicant to submit any written submissions by 15 August 2025.
- 6 No written submissions were received from the Applicant.
- 7 The second CMD took place on 14 January 2026. The Respondent joined the call. The Applicant did not. The Tribunal delayed the start time of the CMD for a short period to allow the Applicant the opportunity to attend but she did not join the call.

Reasons for decision

- 8 The Tribunal has determined to dismiss the application under Rule 27 of the Rules. In view of the Applicant's failure to respond to the Direction, and her failure to attend the second CMD, the Tribunal can reasonably conclude that she does not intend on proceeding with 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.



Legal Member/Chair

19 January 2026

Date