



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71(1) of the Private Housing (Tenancies) (Scotland) Act 2016 (“The Act”)

Chamber Ref: FTS/HPC/CV/25/3938

Re: Property at 1 Swellhead Cottage, Blairs, Aberdeen, AB12 5YX (“the Property”)

Parties:

Mr Cameron Gilchrist, Miss Charlotte Wood, South Andet, Methlick, Ellon, Aberdeen, AB41 7EX (“the Applicant”)

Mr James Irvine Fortesque, 46 Countesswells Road, Aberdeen, AB15 7YF (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal Member)

Decision

[1] The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) refused the Application.

Background

[2] In this Application, the Applicants seek a Payment Order in the sum of £725.00 for a deposit that that say was withheld from them following on from the ending of their tenancy. However, the Respondent has submitted representations which appear to show that the deposit was ultimately paid into an approved scheme, albeit late. It was thereafter dealt with by the deposit adjudication service according to their processes.

Case Management Discussion

[3] The Application called for a Case Management Discussion (CMD) by conference call at 2pm on 26 March 2026. Ms Wood was personally present on behalf of both Applicants. The Respondent was personally present. The Applicant accepted that this Application had perhaps been submitted in error and their main concern was in progressing the related conjoined Application for an award under The Tenancy Deposit Schemes (Scotland) Regulations 2011. Ms Wood was content for this Application to be refused.

[4] The Tribunal therefore refused 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.

Andrew McLaughlin

Legal Member/Chair

26 March 2026

Date