



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/25/4844

Re: Property at 4 Sighthill Circus, Glasgow, G4 0FA (“the Property”)

Parties:

Mr Martin Antonio Leyva Trejo, 316 Golfhill Drive, Glasgow, G31 2NY (“the Applicant”)

Mr Adeyemi Aiyeola, 4 Sighthill Circus, Glasgow, G4 0FA (“the Respondent”)

Tribunal Members:

Nairn Young (Legal Member)

Decision

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 for an alleged failure on the part of the Respondent to meet his duties under regulation 3 of the Tenancy Deposit Schemes (Scotland) Regulations 2011 (‘the Regulations’), as the Applicant’s landlord in receipt of his tenancy deposit. It called for a case management discussion at 10am on 12 May 2026, by teleconference. Both parties were on the call in-person.

- Findings in Fact

The relevant facts in this case are not in dispute, as follows:

1. The Applicant paid a deposit of £500 to the Respondent in terms of a private residential tenancy agreement concerning the Property, on 11 March 2024.
2. The Respondent did not pay the deposit into an approved scheme and did not comply with any of the other duties incumbent on him under regulation 3 of the Regulations.
3. The Applicant became aware of this failure around 3 to 4 months before the end of the tenancy, in October 2025.
4. The Respondent owns this and one other let property.
5. The Respondent was unaware of his duties under regulation 3 until this application was raised.
6. The Respondent returned the deposit in full, promptly after the end of the tenancy.

- Reasons for Decision

7. The Respondent admits a complete failure to carry out the steps required of him under regulation 3. He states that he was ignorant of these duties and has since taken legal advice on this matter and the other regulatory requirements of being a landlord.
8. The Tribunal considers that a failing of this sort is a serious matter; but notes that, while the Applicant's deposit went unprotected for around a year and a half as a result, the Applicant himself was only aware of the issue for around 3 to 4 months. The deposit was returned to him in full, promptly, upon his leaving the Property. The impact on him of any uncertainty regarding his

deposit must therefore have been of a very limited nature. The Respondent has shown genuine remorse regarding his failure and has demonstrated that he intends to ensure he will comply with all of the duties incumbent upon him in future, by investing in proper legal advice. He is not a large-scale landlord. These points suggested to the Tribunal that a sanction towards the bottom of the scale was appropriate.

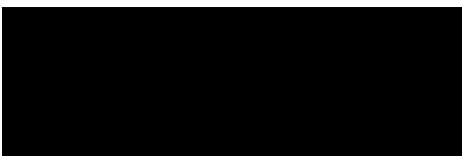
9. Taking all these points into account, the Tribunal considered that a sanction of one-half times the deposit (i.e. £250) was fair.

- Decision

Order made for payment by the Respondent to the Applicant of the sum of TWO HUNDRED AND FIFTY POUNDS STERLING (£250).

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

Date: 15/06/2026