



Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) under the Tenancy Deposit Schemes (Scotland) Regulations 2011 (“The Regulations”)

Chamber Ref: FTS/HPC/PR/26/0770

Re: Property at Flat 16/3, 163 Elgin Terrace, Edinburgh, EH7 5NW (“the Property”)

Parties:

Ms Hannah Morrison, 22/2 Portland Place, Edinburgh, EH6 6LA (“the Applicant”)

Annalisa McManus, Sean McManus, 25 Auchingane, Edinburgh, EH10 7HU (“the Respondent”)

Tribunal Members:

Robert MacDonald (Legal Member)

Decision (in absence of the Applicant)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that this action should be dismissed in accordance with Rule 27(2) of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017.

Background

1. This is an application dated 17th February 2026 for a payment order under Regulation 10 of the Tenancy Deposit Schemes (Scotland) Regulations 2011 and Rule 103 of the First-tier Tribunal for Scotland (Housing and Property Chamber) (Rules and Procedure) 2017 (“The Rules”). The Applicant sought an order for payment of up to 3 times the deposit that had been paid by her in respect of the property as there had been a delay in it being placed with a recognised tenancy deposit provider.
2. The application was accepted by the Tribunal as valid on 26th February 2026 and referred to a Tribunal for determination. The Case Management Discussion (“CMD”) was set down to take place on 5th August 2026 at 2pm

by teleconference. The Tribunal gave notice of the CMD to the parties in accordance with Rule 17(2) of the Rules.

Case Management Discussion

3. At the CMD on the 5th August 2026 there was no appearance by or on behalf of the Applicant. The Respondents were present. The Tribunal waited until 2.15pm to give the Applicant an opportunity to join the teleconference but she failed to do so.
4. In terms of Rule 27 (2) the Tribunal considered that Tribunal could not deal with the proceedings justly and fairly in the absence of the Applicant and accordingly the Tribunal dismissed the Applicants application

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.

Since an appeal is only able to be made on a point of law, a party who intends to appeal the tribunal's decision may wish to request a Statement of Reasons for the decision to enable them to identify the point of law on which they wish to appeal. A party may make a request of the First-tier Tribunal for Scotland (Housing and Property Chamber) to provide written reasons for their decision within 14 days of the date of issue of this decision.

Where a Statement of Reasons is provided by the tribunal after such a request, the 30 day period for receipt of an application for permission to appeal begins on the date the Statement of Reasons is sent to them.

Robert MacDonald

05/08/2026

Legal Member/Chair

Date

