Housing and Property Chamber
First-tier Tribunal for Scotland

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/26/1003

Re: Property at 51D New City Road, Glasgow, G4 9DE ("the Property")

Parties:

Mr Han Byi Ng, 32 Maltings Wynd, Glasgow, G4 9BF ("the Applicant")

Mr Andy Nercessian, whose present whereabouts are to the Applicant unknown ("the Respondent")

Tribunal Members:

Gillian Buchanan (Legal Member)

Decision (in absence of the Applicant and the Respondent)
At the Case Management Discussion ("CMD") which took place by telephone conference on 11 August 2006 the Applicant was neither present nor represented.

The tribunal was satisfied that the requirements of Rule 24(1) of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 ("the Rules") had been satisfied relative to the Applicant having received notice of the CMD.

Intimation of the CMD had been sent to the Applicant by letter and email dated 8 July 2026.

Service on the Respondent
Intimation of the CMD had not been served upon the Respondent.

The Tribunal instructed Sheriff Officers to effect service of the case papers (including a letter dated 8 July 2026 notifying the Respondent of the CMD) on the Respondent at the address provided by the Applicant in the application. However by letter dated 10 July 2026 the Sheriff Officers reported that –

Our Officer attended the given address of Alexandra House, 204 Bath Street, Glasgow G2 4HW which relates to the offices of GSPC. Enquiries were made within and it was noted that the Respondent was never a resident nor employed at this address. He was formerly a client of theirs and they had acted for him as letting agents. No further information nor forwarding address was forthcoming.

By email dated 16 July 2026 the Tribunal advised the Applicant of the terms of the Sheriff Officers' report regarding failed service on the Respondent. In that email the Applicant was asked to provide a forwarding address for the Respondent or apply for service of the application by advertisement on the Tribunal website by showing evidence of unsuccessful attempts to trace the Respondent by a Sheriff Officer or Tracing Agent. The Applicant failed to reply.

The CMD
The Tribunal kept the conference line open until 10.30am but there was still no appearance by or on behalf of the Applicant.

The Tribunal therefore dismissed the Application.

Outcome
Application dismissed.

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

11 August 2026
Date