

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 Section 71 (1) of the Private Housing (Tenancies) (Scotland) Act 2016 ("The Act")

Chamber Ref: FTS/HPC/CV/22/2856

Re: Property at 24/2 Caledonian Road, Edinburgh, EH11 2DF ("the Property")

Parties:

Mr Abhay Chaudhary, Ms Niomi Shah, 96/1 Nicolson Street, Edinburgh, EH8 9EW ("the Applicant")

Miss Michelle Zhu, Flat 3, 15 Guthrie Street, Edinburgh, EH1 1JJ ("the Respondent")

Tribunal Members:

Andrew McLaughlin (Legal Member) and Elizabeth Dickson (Ordinary Member)

Decision (in absence of the Applicants)

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

[2] This Application had been remitted back to the Tribunal from the Upper Tribunal (*Zhu vs Shah* 2026 UT44) who quashed the decision and made a direction that the Tribunal: "*adjudicate on the landlord's claims as to deductions from the deposit*".

[3] The Tribunal had competently intimated to parties that it would convene a Hearing by video call at 10 am on 17 September 2026. Nothing further was heard from the Applicants, who did not then proceed to appear at the Hearing. The Respondent was in attendance. There appeared to be no good reason for the non- attendance of the Applicants and certainly there had been no explanation provided.

[4] Accordingly the Tribunal decided to refuse the Application for want of insistence.

Decision

[5] The Application is refused.

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.

A McLaughlin

Legal Member/Chair

17 September 2026

Date