



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

Chamber Ref: FTS/HPC/CV/25/2520

**Re: Property at 36 Thistle Street North West Lane, Flat 1, EDINBURGH, EH2 1EA
("the Property")**

Parties:

**Mr Konstantinos Makrygiannis, 36 Thistle Street North West Lane, Flat 1,
EDINBURGH, EH2 1EA ("the Applicant")**

**Dr Arfan Zia Dad, House 114, Street 64, Sector F10/3, Islamabad, Pakistan ("the
Respondent")**

Tribunal Members:

Julie McKinlay (Legal Member)

Decision (in absence of the Applicant)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the
Tribunal") determined that the application should be dismissed.**

Background

1. The Applicant sought payment in respect of a tenancy deposit. A tenancy agreement and other documents were lodged with the application.
2. A Case Management Discussion (CMD) was fixed to take place by teleconference at 10 am on 23 September 2026.
3. The Applicant did not attend the CMD. The Respondent attended the CMD. The CMD had been intimated to the Applicant by email on 11 August 2026. The Applicant was notified that the CMD would take place by telephone conference call and that they were required to attend. The Tribunal was satisfied that the requirements of Rule 24 (1) and (2) regarding the giving of notice of a hearing had been complied with.

4. The Applicant had failed to attend the previous CMD fixed to take place on 11 May 2026. On that occasion the Legal member continued the case to a further CMD and required the Applicant to provide an explanation for his non-attendance and confirmation that he would participate in a further CMD. The Applicant advised the Tribunal by email on 15 May 2026 that he had failed to attend by virtue of an oversight on his part and that he intended to proceed with his case.

Decision

5. In terms of Rule 27 (2) of the First-tier Tribunal for Scotland Housing and property Chamber Rules of Procedure 2017, the Tribunal may dismiss the whole or part of the proceedings if the Applicant has failed to cooperate with the First-tier Tribunal to such an extent that the First-tier Tribunal cannot deal with the proceedings justly and fairly. The Tribunal could not make progress with the application in the absence of the Applicant.
6. **In all the circumstances the Tribunal decided to dismiss 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.

23rd September 2026

Legal Member/Chair

Julie McKinlay

Date