



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 16 of the Housing (Scotland)
Act 2014**

Chamber Ref: FTS/HPC/CV/26/2574

Re: Property at 4 Marquis Drive, Aboyne, AB34 5FD (“the Property”)

Parties:

Miss Kirsty Gordon, Elm Lodge, Aberdeenshire, AB34 4UU (“the Applicant”)

Mr Keith Lawson, 4 Marquis Drive, Aboyne, AB34 5FD (“the Respondent”)

Tribunal Members:

Fiona Stephen (Legal Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined to dismiss the application.

Background

1. By application dated 4 June 2026 the Applicant sought an order for payment of £2000.00, being the amount of a deposit which she had paid to the Respondent at commencement of her tenancy and which had not been returned to her after the tenancy ended. The application was brought under section 16 of the Housing (Scotland) Act 2014 and Rule 70 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Procedure Rules”). The application was heard alongside conjoined application no FTS/HPS/PR/26/2165 in which the Applicant sought an order under The Tenancy Deposit Schemes (Scotland) Regulations 2011.
2. The Applicant lodged the following documents with the application:
 - i, Tenancy agreement;
 - ii. Bank statement showing withdrawal of £2000.00 on 23 October 2017; and

- iii. screen shots of various text messages between the Applicant and Respondent;
- 3. The application was accepted by the Tribunal on 24 June 2026. A copy of the application was served on the Respondent by Sheriff Officer conform to execution of service dated 18 August 2026 and parties were notified that a Case Management Discussion (“CMD”) would take place on 13 October 2026 at 10am by telephone conference call and that they were required to participate. The Respondent was required to submit any written representations in response to the application by 5 September 2026. No representations were lodged.
- 4. Prior to the CMD, the Applicant confirmed by email that the Respondent had paid her £1000.00 on 27 August 2026. A Direction was issued to both parties on 21 September 2026 requesting further information. Subsequently, the Respondent provided screenshots of payments made to the Applicant of £1000.00 on 27 August and 8 September 2026 headed “deposit rebate”.

The Case Management Discussion

- 5. Prior to the CMD commencing, the Tribunal was provided with an email which had been sent to the Tribunal on 25 September 2026. In that email, the Applicant confirmed she had received payment of £2000.00 from the Respondent. Thereafter the CMD proceeded. The Applicant and Respondent both appeared and represented themselves.
- 6. The Applicant confirmed she had received payment of the full deposit of £2000.00 and was content for the application to be dismissed. The Tribunal confirmed it would do so.

Reasons for Decision

- 7. The Respondent has repaid the deposit and the Applicant is content for the application to be dismissed. The Tribunal determined to dismiss the application.

Decision

The Application is 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.

**Fiona Stephen
Legal Member/Chair**

**13 October 2026
Date**