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 9 of the Tenancy Deposit Schemes (Scotland) Regulations 2011

Chamber Ref: FTS/HPC/PR/26/1870

Re: Property at 109/4 Dalkeith Road, Edinburgh, EH16 5AJ ("the Property")

Parties:

Mr Narayana Salafia, 109/4 Dalkeith Road, Edinburgh, EH16 5AJ ("the Applicant")

Mr Sandeep Bawa (CC into Emails), 14 Crieff Avenue, Bearsden, G61 2BP ("the Respondent")

Tribunal Members:

Hilary Macandrew (Legal Member)

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") dismissed the Application

1) Background

1.1 The Applicant made an application in Form G ("application") on 25th April 2026 under Rule 103 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 ("the Rules") stating that the Respondent had failed to timeously lodge a tenancy deposit in an appropriate scheme in breach of the Tenancy Deposit Schemes (Scotland) Regulations 2011 ("2011 Regulations") and seeking a penalty to be ordered of up to three times the amount of the deposit.

1.2 The Application was accepted on 4th June 2026.

1.3 A Case Management Discussion (CMD) was fixed for 30th October 2026 in relation to this Application

1.4 The documents produced to the Tribunal by the Applicant were:

- Copy Tenancy Agreement
- Safe Deposits Scotland Notice E Mail
- Bank Statement showing deposit payment.

1.5 The documents produced to the Tribunal by the Respondent were:

- E Mail submission from the Respondent dated 2nd September 2026 setting out his opposition to the Application and stating the deposit was lodged with Safe Deposits Scotland on 26th November 2024 in accordance with the 2011 Regulations.
- Statement from Nicola Whelan of Ambiance Properties Ltd
- Copy E Mail confirming the deposit amount
- Transaction details 29th October 2024
- Copy email from Safe Deposits Scotland showing deposit protected
- Copy E mail sent to Applicant from Safe Deposits Scotland on 13th November 2024
- Copy E Mail from Safe Deposits Scotland confirming £360 to complete the deposit dated 25th November 2024
- Transaction details 26th November 2024
- Copy E mail from Safe Deposits Scotland confirming deposit amount increase
- Copy E Mail from Safe Deposits Scotland confirming deposit was submitted on time dated 2nd September 2026

2) Case Management Discussion

2.1 A Case Management Discussion ("CMD") took place by teleconference on 30th October 2026. The Applicant neither took part nor was represented. The Respondent took part personally along with his representative Ms Nicola Wheland. The start of the Tribunal was delayed by 5 minutes.

2.2 In the absence of any appearance by the Applicant nor explanation for his non-attendance, the Tribunal dismissed the Application through lack of insistence.

3) Decision

3.1 The Tribunal dismisses the Application through lack of insistence.

4) Reasons for Decision

4.1 The Applicant was neither present nor represented at the CMD to insist upon 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.



H Macandrew **30th October 2026**

Legal Member/Chair **Date**