Housing and Property Chamber
First-tier Tribunal for Scotland

Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Regulations 9 and 10 of the Tenancy Deposit Schemes (Scotland) Regulations 2011 ("the Regulations") and Rule 103 of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 ("the Rules").

Chamber Ref: FTS/HPC/PR/25/5080

Re: Property at 6/5 Wester Hailes Park, Edinburgh, EH14 3AE ("the Property")

Parties:

Mr David Rigby, 6/5 Wester Hailes Park, Edinburgh, EH14 3AE ("the Applicant")

Mr Patryk Szpilczynski, 6 SOUTHHOUSE CROSSWAY, Edinburgh, EH17 8FF ("the Respondent")

Tribunal Members:

Karen Moore (Legal Member)

Decision (in absence of the Respondent)

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

1. By application received on 24 November 2025 ("the Application"), the Applicant applied to the Tribunal for an Order in terms of Regulation 10 of Tenancy Deposit Schemes (Scotland) Regulations 2011 ("the Regulations").

2. The Application was accepted by the Tribunal and a Case Management Discussion (the "CMD") was fixed for 11 June 2026. The outcome of the

CMD was that the CMD was adjourned to a further CMD for the parties to agree a settlement.

3. A further CMD took place on 22 October 2026 by telephone. The Applicant, Mr. Rigby, did not attend. The Respondent, Mr. Szpilczynski, attended and advised that the matter had been settled.

4. The Tribunal, having no further information and in the absence of Mr.Rigby, dismissed the Application and made no Order.

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.

[redacted]

22/10/26

Legal Member/Chair **Date**