



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland  
(Housing and Property Chamber) under Regulation 10 of the Tenancy Deposit  
Schemes (Scotland) Regulations 2011**

**Chamber Ref: FTS/HPC/PR/19/1660**

**Re: Property at Wellfield, Ord Hill, Fortrose, IV10 8SH ("the Property")**

**Parties:**

**Mr Andrew Wake, Mr Christopher Wake, Wellfield, Ord Hill, Fortrose, IV10 8SH;  
Wellfield, Ord Hill, Fortrose, IV10 8SH ("the Applicants")**

**Mr Norman Bremner, Mrs Paula Bremner, Bremclay House, Drum Farm, Avoch,  
IV9 8RP; Bremclay House, Drum Farm, Avoch, IV9 8RP ("the Respondents")**

**Tribunal Members:**

**Helen Forbes (Legal Member) and Ahsan Khan (Ordinary Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined that an order for payment should be granted in favour of the Applicants in the sum of £725, and that the Respondents must lodge the tenancy deposit in an approved tenancy deposit scheme.**

**Background**

This is an application dated 24<sup>th</sup> May 2019, made under Rule 103 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 as amended ("the Rules"). The Applicants are seeking an order in terms of Regulation 10 of the Tenancy Deposit Schemes (Scotland) Regulations 2011 ("the Regulations"). The parties entered into a tenancy agreement at some time in September 2016, whereby the Applicants rented the Property at a rent of £725 per month. There was no written tenancy agreement. The Applicants paid a deposit of £725. The deposit was not paid into a tenancy deposit scheme in terms of the Regulations. The tenancy ended on 17<sup>th</sup> June 2019. The deposit was not returned to the Applicants.

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 Forbes

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Legal Member/Chair

15th October 2019

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Date