

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/18/0408

Re: Property at 7/5 Whitson Grove, Edinburgh, EH11 3DT (“the Property”)

Parties:

**Miss Ying Zou, Queensferry House, Carnegie Campus, Dunfermline, KY11 8GR
 (“the Applicant”)**

**Mr Craig Beveridge, Mr Craig Beveridge, CMC Property, 6B (Unit 1-2), New
MArt Road, Edinburgh, EH14 1RL; 92 Baird Drive, Edinburgh, EH12 5RZ (“the
Respondent”)**

Tribunal Members:

Alan Strain (Legal Member)

Decision (in absence of the Parties)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that the Application be dismissed for want of insistence.**

This is an application for compensation under the Regulations for alleged failure to protect the Deposit.

The case had called for a Case Management Discussion (CMD) on 1 May 2018 at which time the Applicant had appeared, the application had been amended to include the Landlord as an additional Respondent and continued to a fresh CMD.

CMD

There was no appearance by any of the Parties at the CMD. After enquiry it was ascertained that the Applicant had emailed to say that they were not attending. Service of the notification of proceedings had been made by Sheriff Officer on the Landlord and CMC on 4 October 2018.

Alan Strain

Given that all Parties had been notified and nobody attended the Tribunal determined to dismiss the application for want of insistence.

Outcome

Application 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.

Alan Strain

Legal Member/Chair

Date

18 October 2018