



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Rule 8 of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017**

**Chamber Ref: FTS/HPC/PR/19/2220**

**Re: Property at Seaview, Garderhouse, Shetland, ZE2 9NH (“the Property”)**

**Parties:**

**Miss Sienna Gray, Mr Maxim Koba, 12 Bornish, Isle of South Uist, Western Isles, HS8 5SA (“the Applicants”)**

**Mrs Margaret Morrison, Marvik, Garderhouse, Shetland, ZE2 9NH (“the Respondent”)**

**Tribunal Members:**

**Nairn Young (Legal Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that**

- Background

This is an application for an order sanctioning the Respondent for failure to pay a deposit paid to her by the Applicants into an approved scheme. It called for a case management discussion (‘CMD’) at 2pm on 8 October 2019. The first named Applicant and the Respondent participated in the CMD by conference call.

- The Case Management Discussion

The Respondent explained that she accepted that she had received a deposit of £500 from the Applicants and had failed to pay it into an approved scheme. She accepted that that was a breach of Regulation 3 of the Tenancy Deposit Schemes (Scotland) Regulations 2011. She offered to pay the Applicants £1,500 as compensation for that breach. The first named Applicant accepted that offer on behalf of the Applicants.

- Reasons for Decision

The dispute to which the application relates has resolved. The application therefore falls to be rejected in terms of rule 8(b) of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017.

- Decision

Application rejected.

### 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.

  
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Legal Member/Chair

11 OCTOBER 2019  
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Date