



**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/18/1401

**Re: Property at Flat 5/4, 1 Meadowside Quay Square, Glasgow, G11 6BS (“the
Property”)**

Parties:

**Mr Abdulhaziz Alghamdi, Flat 5/4, 1 Meadowside Quay Square, Glasgow, G11
6BS (“the Applicant”)**

**1st Lets Scotland Ltd, 68 Woodlands Road, Glasgow, G3 6HA (“the
Respondent”)**

Tribunal Members:

Colin Dunipace (Legal Member) and David Fotheringham (Ordinary Member)

Decision

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that an Order for payment in the sum of Two Thousand
Three Hundred Pounds (£2,300) Sterling should be made in favour of the
Applicant and against the Respondents in respect of the admitted breach of
Regulation 3 of the Tenancy Deposit Schemes (Scotland) Regulations 2011.**

Background

**This Application was brought by the Applicant on 1 June 2018 in relation to a
breach of Regulation 9 of the Tenancy Deposit Schemes (Scotland)
Regulations 2011 in respect that the deposit paid on 11 August 2016 in the
sum of £1,150 had not been paid into an Approved Scheme. The Applicant
submitted with his Application evidence that there was no record of any such
deposit having been paid into an Approved Scheme.**

Hearing

The Applicant was represented at the Hearing in Glasgow on 2 November 2018 by his representative Mr Qasim Ahmed. The Respondents were represented at the Hearing by Mr Nadeem Iqbal and Mr Tariq Ali. The Applicant's representative indicated at the outset of the Hearing that the deposit for the property in the sum of £1,150 had been paid by the Applicant on 11 August 2016. The Applicant's representative indicated that following the termination of the lease that it had been established that the deposit had not been paid into an Approved Scheme by the Respondents, and the Applicant's representative made reference to the evidence submitted in this regard.

For the Respondents Mr Iqbal accepted that the deposit had not been paid into an Approved scheme within the requisite 30 day period. Mr Iqbal indicated that this matter was being dealt with by a different office, but he understood that the deposit had subsequently been paid into an Approved Scheme, although he was unable to provide any evidence to demonstrate this. Mr Iqbal did however accept that the deposit had not been paid into an Approved Scheme within the requisite 30 day period.

Findings in Fact

- The Applicant paid a deposit in the sum of £1,150 to the Respondents on 11 August 2016 in relation to the property at Flat 5/4, 1 Meadowside Quay Square, Glasgow G11 6BS
- The aforementioned deposit was not paid into an Approved Scheme within a 30 day period.

Discussion

The Tribunal considered the evidence and the submissions and concluded that it could be established that the Respondents had breached the terms of regulation 3 of the Tenancy Deposit Schemes (Scotland) Regulations 2011. The Tribunal thereafter considered the terms of Regulation 10 (a) of the Tenancy Deposit Schemes (Scotland) Regulations 2011, and determined that having regard to the explanation provided by the Respondents that an appropriate payment in relation to this breach would be in the sum of £2,300.

Decision

The Tribunal determined that the Respondent should make payment to the Applicant in the sum of £2,300.

Right of Appeal

