

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 Rule 111 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017, as amended (“the Regulations”)

Chamber Ref: FTS/HPC/CV/26/1381

Re: Property at 3/2 142 KELVINHAUGH ST, GLASGOW, G3 8PP (“the Property”)

Parties:

Mr AROMAL SASIDHARAN, Mr FAYIS ONTHAM PARAMBATH, 147 ORR STREET, BRIDGETON, GLASGOW, G40 2BJ; 147 ORR STREET, BRIDGETON,, GLASGOW, G40 2BJ (“the Applicant”)

Mr MUHAMMAD SHAHID, UNKNOWN, UNKNOWN, UNKNOWN (“the Respondent”)

Tribunal Members:

Nicola Weir (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment by the Respondent in the sum of £1,300 should be made in favour of the Applicant.

Background

1. By application received on 20 March 2026, the Applicant applied to the Tribunal for an order for payment in the sum of £1,300 against the Respondent in respect of a tenancy deposit which had not been returned. Supporting documentation was submitted in respect of the application, including proof of payment of the tenancy deposit, payments made in respect of rent and correspondence between the parties. There was no written tenancy agreement produced. The tenancy had commenced around 17 September 2025, when the tenancy deposit was paid and ended around 15 February 2026, when the Applicant had moved out. The rent was £1,300 per month. An application for alleged breach of the tenancy deposit regulations was also lodged and was conjoined with this application.

2. Following initial procedures, on 27 March 2026, a Legal Member of the Tribunal with delegated powers from the Chamber President issued a Notice of Acceptance of Application in terms of Rule 9 of the Regulations.
3. The Tribunal Administration sought to notify the Respondent of the application and details of the Case Management Discussion (“CMD”) fixed for 14 July 2026 by Sheriff Officer service at the address provided in the application, 57 Commerce Street, Glasgow, G5 8AD, which accorded with the contact address details contained in the Respondent’s Landlord Registration. However, this was unsuccessful as the Sheriff Officers could find no trace of the Respondent at that address. Service on the Respondent thereafter proceeded by way of Advertisement on the Tribunal website, as his present address was unknown. The application was advertised on the Tribunal website for the requisite minimum period, from 16 June 2026 to 14 July 2026 (the date of the CMD).
4. No written representations were received from the Respondent prior to the CMD.

Case Management Discussion

5. The Case Management Discussion (“CMD”) took place by telephone conference call on 14 July 2026, commencing at 10am. Only the Applicants, Mr Aromal Sasidharan and Mr Fayis Ontham Parambath were in attendance. The Respondent did not attend, although the Tribunal delayed the commencement of the CMD for more than 5 minutes to give him an opportunity to join late, but he did not do so.
6. Following introductions and introductory comments by the Legal Member, there was discussion regarding the application and the order being sought by the Applicant. The Applicant confirmed that they had paid the sum of £1,300 to the Respondent at the outset of the tenancy, together with a month’s rent in advance, also amounting to £1,300. They had some difficulties with the Respondent as they repeatedly requested a written tenancy agreement but he failed to provide one. They also had difficulties with some of the appliances not working and the cost of their electricity. This was the reason they gave notice and decided to move elsewhere, as they were unable to afford such high electricity bills and the Respondent said he would investigate this but never did so. They gave him over a month’s notice that they were moving out. They first communicated this to the Respondent on 8 January 2026, which he acknowledged. They then confirmed the exact date to him on 16 January 2026. They emailed him again on 14 February 2026 to confirm that they were leaving the following day. They asked him to inspect the flat and return their deposit to them but he did not do so. They ended up sending him a video of them having cleaned the flat and returned the keys but the Respondent failed to further communicate with them or return their tenancy deposit. The Applicant is satisfied that they paid all rent due, left the property in good condition and had paid all utility bills due up until the date they left. They never received any communication from the Respondent to the contrary and have had no contact

with him since. He has not paid any of the tenancy deposit back to them so they are seeking an order for the full deposit of £1,300.

7. The Legal Member confirmed that, given that there is no opposition from the Respondent and the application appeared to be in order, she would grant the payment order as sought and that the decision paperwork would be issued shortly. The Applicants were thanked for their attendance.

Findings in Fact

1. The Respondent was the owner and landlord of the Property.
2. The Applicant was the joint tenant of the Property by virtue of a Private Residential Tenancy which commenced around 17 September 2025.
3. There was no written tenancy agreement provided by the Respondent, despite several requests for this from the Applicant.
4. The tenancy ended around 15 February 2026 when the Applicant vacated the Property.
5. The rent in respect of the tenancy was £1,300 per calendar month, payable in advance.
6. The tenancy deposit was £1,300 and was paid by the Applicant to the Respondent by bank transfer on 17 September 2025.
7. The Applicant gave over a month's notice to the Respondent that they were vacating, which notice was acknowledged by the Applicant.
8. The Applicant made payment of all rent and utility bills due up until the date they vacated.
9. The Applicant sought to engage with the Respondent throughout the tenancy regarding tenancy related issues, arrangements towards the end of the tenancy and repeatedly requested return of the tenancy deposit.
10. The Respondent stopped communicating with the Applicant and failed to return the tenancy deposit.
11. The Respondent has been called upon to make payment of the tenancy deposit back to the Applicant but has failed to do so.
12. The Respondent did not lodge any written representations in response to the application, nor attend the CMD.

13. The sum of £1,300 is due and resting owing to the Applicant by the Respondent in respect of his failure to return the tenancy deposit.

Reasons for Decision

1. The Tribunal gave careful consideration to all of the background papers including the application and supporting documentation and the oral information provided at the CMD by the Applicant.
2. The Tribunal found that the application was in order, was supported by the supporting documentation produced and the oral representations made by the Applicant at the CMD. The Tribunal found that the sum of £1,300 sought in terms of this application was owing in respect of the tenancy deposit paid by the Applicant at the outset of the tenancy, which the Respondent had failed to return, without explanation, at the end of the tenancy.
3. The Tribunal did not have any material before it to contradict the Applicant's position or o indicated that the Respondent was opposing the application. The Tribunal accordingly determined that an order for payment in the sum of £1,300 could properly be granted at the CMD as there were no facts in dispute nor any other requirement for an Evidential Hearing.

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.

Nicola Weir

Legal Member/Chair

14 July 2026

Date