



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 16 of the Housing (Scotland) Act 2014

Chamber Ref: FTS/HPC/CV/23/1816

Re: Property at 46 Rankin Court, Kilmarnock, KA3 7QZ (“the Property”)

Parties:

Mrs Felicia Taiwo, 27 Old Gloucester Street, London, WC1N 3AX (“the Applicant”)

Joannah Smith, 115 Loreny Drive, Kilmarnock, KA1 4RH (“the Respondent”)

Tribunal Members:

Alison Kelly (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 should be granted.

Background

1. The Applicant lodged an application on 2nd June 2023 under Rule 111 of the First Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”) seeking payment of a sum for rent arrears and post tenancy cleaning.
2. Lodged with the Application were:
 - a. Copy Private Residential Tenancy dated 4th May 2018 and showing a rent of £485 per month
 - b. Rent Statement
 - c. Invoice dated 29th July 2022 from Wu!!son Waste Management Ltd in the amount of £1550
3. The Application was served on the Respondent by Sheriff Officer on 1^{4th} September 2023.

Case Management Discussion

4. The Case Management Discussion (“CMD”) took place by teleconference. The Applicant represented herself and was supported by Miss Goosetree. The Respondent did not attend and was not represented.
5. The Tribunal was satisfied in terms of Rule 17(2) that the Respondent had been given sufficient notification of the CMD, and was content to proceed in her absence.
6. The Chairperson confirmed the purposes of a CMD in terms of Rule 17 of the Rules.
7. The Applicant asked that an order be granted for payment in the amount of £3500.95. This was calculated by taking the amount of arrears in the rent statement, £2300.95, adding the cleaning invoice of £1550 and deducting the deposit of £350 which had been returned to the Applicant. The sums were properly vouched.

Findings in Fact

1. The parties entered in to a tenancy agreement for rent of the property;
2. The monthly rent was £485;
3. The Respondent paid a deposit of £350;
4. The Respondent left the property on 4th July 2022 at which time the rent arrears were £2300.95;
5. The Applicant incurred cleaning costs of £1550;
6. The Applicant received return of the Respondent’s deposit in the amount of £350.

Reasons for Decision

The Respondent owes the sum of £3500.95 to the Applicant.

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.



Legal Member/Chair

23rd October 2023

Date