



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 of the Private Housing (Tenancies) (Scotland) Act 2016**

**Chamber Ref: FTS/HPC/CV/23/2589**

**Re: Property at 112 Alexander Road, Glenrothes, KY7 4JD (“the Property”)**

**Parties:**

**Mrs Helen-Marie Hutchinson, 26 Lyall Street, Laurencekirk, Kincardine, AB30 1FW (“the Applicant”)**

**Miss Chloe Pratt, 31 Smeaton Gardens, Kirkcaldy, Fife, KY2 5BW (“the Respondent”)**

**Tribunal Members:**

**Richard Mill (Legal Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order be granted against the Respondent for payment to the Applicant of the sum of One Thousand Two Hundred and Thirty Pounds and Thirty Pence (£1,230.30)**

**Introduction**

This is an application under rule 111 and section 71 of the Private Housing (Tenancies) (Scotland) Act 2016.

The CMD took place by teleconference on 8 November 2023 at 2.00 pm. The applicant was represented by John McKeown of Jackson Boyd Lawyers. The respondent joined the hearing and represented her own interests.

## Findings and Reasons

The property is 112 Alexander Road, Glenrothes KY7 4JD. The applicant is Mrs Helen-Marie Huchinson. She is the heritable proprietor and registered landlord. The respondent is the former tenant.

The parties entered into a private residential tenancy which commenced on 11 January 2023. The respondent was the sole named tenant on the leased a deposit of £430 was lodged with SafeDeposits Scotland. In terms of section 8 of the tenancy agreement the respondent was required to make monthly rental payments of £430.

On 27 April 2023 the respondent vacated the property having accumulated rent arrears of £1,510.30. The applicant recovered the deposit from SafeDeposits Scotland which was applied towards the rent arrears. This left a balance of rent arrears of £1,080.30. The applicant is entitled to recover these arrears which are lawfully due.

The applicant also seeks to recover the cost clearance costs at the end of the tenancy. An Invoice from Ogg & Brown Uplift has been produced in the sum of £150.

The applicant is entitled to recover the total sum of £1,230.30. The respondent did not dispute these sums. She is not currently in a position to make an offer to pay by instalments at a reasonable rate so no time to pay direction application was made.

The applicant did not insist upon other elements of the claim nor the claim for interest.

## **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.**

**R Mill**

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**Legal Member/Chair**

**8 November 2023**

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**Date**