



**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/23/1508

Re: Property at 29 Nellfield, Edinburgh, EH16 6DX (“the Property”)

Parties:

Ms Helen Black, 7 Baberton Mains Green, Edinburgh, EH14 3EJ (“the Applicant”)

**Miss Joanna Curry, 27 High Street, Kirkcaldy, Fife, KY1 2UG (“the
Respondent”)**

Tribunal Members:

Nairn Young (Legal Member) and Ahsan Khan (Ordinary Member)

Decision

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

- Background
1. This is an application for an order for payment of rent arrears alleged to be owed following the termination of the Respondent’s assured tenancy at the Property, under which the Applicant was landlord. It called for a hearing at 10am on 23 February 2024, by teleconference. The Applicant was represented on the call by Mr Matthew Wilkin and Mr Kerr Stevenson, both of The Flat Company. The Respondent was on the call in-person. There had been a case management discussion on 13 November 2023 at which the Respondent accepted that she had left the Property with arrears of rent of £1,450, but disputed that that amount remained outstanding, on the basis that at least part of her deposit of £1,177.50 should have been applied to reduce

these arrears. The Applicant's position was that the whole deposit was applied to repairing damage to the Property.

2. A direction was made requiring various documentary evidence to be provided by the Applicant to support its position. By the time of the hearing, this had been provided and copied to the Respondent. The Respondent confirmed at the start of the hearing that she was satisfied that the deposit had been applied in full to repairs and accepted that she therefore was liable for the sum sought.

- Reasons for Decision

3. The Respondent accepts that she owes the amount sought. An order for payment of that sum should therefore be made.

- Decision

Order made for payment by the Respondent to the Applicant of the sum of ONE THOUSAND, FOUR HUNDRED AND FIFTY POUNDS STERLING (£1,450).

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.

N Young

Legal Member/Chair

23/02/2024

Date