

**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/24/0607**

**Re: Property at 94C Queen Street, Dunoon, Argyll, PA23 8AY (“the Property”)**

**Parties:**

**Ms Elizabeth Disselduff, 167 South Street, Greenock, PA16 8TE (“the Applicant”)**

**Ms Lynda McAskill, 80 Fairhaven, Kirn, PA23 8NS (“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 made.**

**Background**

1. On 8<sup>th</sup> February 2024 the Applicant lodged an application under Rule 111 of the First Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”) seeking payment of a sum of rent arrears.
2. Lodged with the Application were:
  - a. Copy Private Residential Tenancy dated 1<sup>ST</sup> October 2019 and showing a rent of £600 per month
  - b. Short Assured Tenancy between the Applicant and the Respondent and her former partner dated 1<sup>st</sup> August 2017- and showing a rent of £600 per month
  - c. Rent Statement showing arrears of £4110 as at 31<sup>st</sup> August 2020
  - d. Invoice from Red Roof Rentals dated 30<sup>th</sup> August 2023 showing a sum of £4361 due for post tenancy repairs
  - e. Written statement outlining the claim
3. The Application was served on the Respondent by Sheriff Officer on 27<sup>th</sup> November 2024.

## **Case Management Discussion**

4. The Case Management Discussion (“CMD”) took place on 20<sup>th</sup> January 2025 by teleconference. The Applicant was represented by Miss McTaggart of Red Roof Rentals. The Respondent did not attend and was not represented.
5. The Chairperson confirmed the purposes of a CMD in terms of Rule 17 of the Rules.
6. Miss McTaggart asked that an order be granted for payment, in the amount of £8471, being the sum due as shown on the rent statement of £4110, being the arrears due as at 28<sup>th</sup> August 2020, and £4361 being the cost of post tenancy repairs as shown on the invoice by Red Roof Rentals dated 30<sup>th</sup> August 2023.

## **Findings in Fact**

- i. The parties entered in to a tenancy agreement for rent of the property;
- ii. The monthly rent was £600;
- iii. The Respondent vacated the property on 28<sup>th</sup> August 2020;
- iv. At the end of the tenancy the rent arrears owed were £4110;
- v. The Applicant incurred the sum of £4361 in respect of post tenancy repairs as a result of the state the property was left in by the Respondent.

## **Reasons for Decision**

The Respondent owes rent to the Applicant in the amount of £8471.

## **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.**

# Alison Kelly

20 January 2025

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Legal Member/Chair

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Date

