



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 (1) of the Private Housing (Tenancies) (Scotland) Act 2016**

**Chamber Ref: FTS/HPC/CV/24/2230**

**Re: Property at 8B Petendreia Court, Bonnyrigg, Midlothian, EH19 2AF (“the Property”)**

**Parties:**

**LAR Housing Trust, Buchan House, Enterprise Way, Dunfermline, KY11 8PL (“the Applicant”)**

**Ms Vickie Young, Mr Stuart Young, Unknown, Unknown; 12 Machrhanish Way, Bonnyrigg, EH19 3SJ (“the Respondents”)**

**Tribunal Members:**

**Andrew McLaughlin (Legal Member)**

**Decision (in absence of the Respondents)**

**[1] The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) made a Payment Order in favour of the Applicant against the First Respondent only in the sum of £ 2,589.28.**

**Background**

[2] The Applicant seeks a Payment Order in respect of the costs of making good damage said to have been caused to the Property by the First Respondent under a tenancy between the parties. Both Respondents were tenants but the Applicant accepts that the Second Respondent moved out of the Property some time ago and should now not be held liable for any of the restoration costs founded upon.

[3] The Application is accompanied by a copy of the tenancy agreement and invoices and evidence of the damage caused. A previous Case Management Discussion had been

convened and the Applicant had been asked to supply some further details of the costs said to have been incurred.

### **Case Management Discussion**

[4] The Application called again for a Case Management Discussion (CMD) by conference call at 2pm on 23 May 2025. The Applicant was represented by their own Ms Maxwell. There was no appearance by or on behalf of the Respondents. The Respondent had received intimation of the Application and information about how to join the conference call by Sheriff Officers and by service on the Tribunal website. The Tribunal therefore decided to proceed in the absence of the Respondent.

[5] Having heard from the Applicant's representative and considered the whole facts and circumstances of the case, the Tribunal made the following findings in fact.

#### **Findings in fact**

- 1. The Parties entered into a tenancy agreement in terms of which the Applicants let the Property to the Respondents. The Second Respondent moved out of the Property some years ago.*
- 2. The First Respondent caused damage to the Property which cost the Applicant the sum of £2,589.28 to make good. The First Respondent is liable to the Applicant for this sum which is resting owed to the Applicant.*

### **Decision**

[6] Having made the above findings in fact, the Tribunal granted the Application and made a Payment Order in favour of the Applicants against the First Respondent only in the sum of £2,589.28.

### **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.**

Andrew McLaughlin

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Legal Member/Chair

23 May 2025

Date