



**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 (Act)**

Chamber Ref: FTS/HPC/CV/24/5123

Re: Property at 5 MacKenzie Place, Avoch, Ross-shire, IV9 8QW (“the Property”)

Parties:

Mrs Stephanie MacDonald, Springfield, Balblair, By Dingwall, Ross-shire, IV9 8LE (“the Applicant”)

Mr Stephen Hunter, 14 Station Court, Alness, IV17 0AB (“the Respondent”)

Tribunal Members:

Alan Strain (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 be granted in the sum of £1,956.93.

Background

This is an application under Rule 111 of ***The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (Rules)*** and section 71(1) of the Act in respect of a claim for payment of rent arrears, costs of cleaning, removing the Respondent’s belongings and remedial works.

The Tribunal had regard to the following documents lodged in advance of the Hearing:

1. Application received 7 November 2024;
2. PRTA commencing 13 January 2023;
3. Rent and outlays statement at end of tenancy;
4. Invoices/receipts dated 31 July 2024 and 30 August 2024;
5. Inventory dated 12 January 2023.

6. Sheriff Officer's Certificate of Service of the CMD Notification on the Respondent dated 9 June 2025.

Case Management Discussion (CMD)

The case called for a CMD by telephone on 31 July 2025. The Applicant did not participate but was represented by her Letting Agent, Ms Black. The Respondent did not participate and was not represented.

The Tribunal delayed the start of the CMD to see if the Respondent would participate but he did not.

The Tribunal were satisfied that the Respondent had received notification of the Case Management Discussion and that the Tribunal could determine the matter if it considered it had sufficient information to do so and the procedure was fair. The notification also advised the Respondent that he should attend and the Tribunal could determine the matter in absence if he did not.

The Tribunal decided that it was fair and reasonable to proceed in the Respondent's absence.

Ms Young confirmed that the Respondent was in rental arrears at the end of the tenancy in the sum of £1,832.60. The Applicant received the deposit of £650 and a credit was applied for residual oil left by the Respondent for central heating in the sum of £253.67. This left a balance of arrears of £928.93.

The tenant's belongings left in the Property had to be removed at a cost of £428. The Property had to be cleaned and garden remedial work undertaken at a cost of £600.

The Tribunal then considered the documentary evidence it had received from the Applicant and in so far as material made the following findings in fact:

1. The Parties let the subjects under a PRTA commencing 13 January 2023;
2. The Applicant was in arrears of rent at the end of the tenancy in the sum of £1,832.60. The Applicant received the deposit of £650 and a credit was applied for residual oil left by the Respondent for central heating in the sum of £253.67. This left a balance of arrears of £928.93.
3. The Respondent's belongings left in the Property had to be removed at a cost of £428.
4. The Property had to be cleaned and garden remedial work undertaken at a cost of £600.

Decision and Reasons

The Tribunal was satisfied that in the circumstances the Applicant was due payment of the rent arrears, cleaning, remedial works and removing his belongings. The Tribunal granted the order sought in the amount of £1,956.93.

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.

A.Strain

31 July 2025

Legal Member/Chair

Date