



**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/25/0717

**Re: Tiree Cottage, Barcaldine House, Barcaldine, Oban PA37 1SG (“the
Property”)**

Parties:

**Reece McMichael, 3 Bealach Na Mara, Port Appin, Argyll PA38 4DR
 (“Applicant”)**

**Gillian Abrams, 6 Holywell Close, Holywell, Whitley Bay NE25 OLD
 (“Respondent”)**

**Tribunal Members:
Joan Devine (Legal Member)**

Decision

**The First-tier Tribunal for Scotland (Housing and Property Chamber)
 (“Tribunal”) determined to refuse the Application.**

Background

1. The Applicant sought an order for payment of £500 in respect of a deposit paid by the Applicant to the Respondent. The Applicant had lodged Form F along with the following :
 - A private residential tenancy agreement (“PRT”) between the Applicant and the Respondent which commenced on 26 July 2022.
 - Copy screenshots showing a payment of £600 being made on 14 July 2022 and a payment of £600 on 25 July 2022.
 - Copy text message confirming receipt of the deposit.
 - Copy text messages regarding electricity charges and outstanding rent of £100.
2. A Case Management Discussion (“CMD”) took place 13 August 2025. Reference is made to the note of the CMD. The outcome was that a continued

CMD was fixed for 27 November 2025 and the Tribunal issued a direction in the following terms :

The Respondent is required to lodge with the Tribunal :

- 1. A written submission setting out the Respondent's calculation of the sum due by the Applicant to the Respondent in respect of electricity usage at the Property during the period of the tenancy. The calculation should be supported by relevant information and documents from the electricity provider regarding electricity tariffs.*
- 2. A summary of the sums paid to the Respondent by the Applicant during the tenancy for electricity usage.*

The said documentation should be lodged with the Tribunal no later than close of business on 10 October 2025.

The Applicant is required to lodge with the Tribunal :

- 1. A written submission setting out the Applicant's response to the Respondent's calculation of the sum due by the Applicant to the Respondent in respect of electricity usage at the Property during the period of the tenancy.*
- 2. A summary of the sums paid to the Respondent by the Applicant during the tenancy for electricity usage.*

The said documentation should be lodged with the Tribunal no later than close of business on 28 November 2025.

3. The Respondent lodged a response to the direction on 8 October 2025. On 19 November 2025 the Tribunal emailed the Applicant asking for his direction response to be lodged by close of business on 25 November 2025. The Applicant lodged a written submission on 26 November 2025.

Continued CMD

4. A continued CMD took place on 27 November 2025 by conference call. The Applicant and the Respondent were both in attendance. The tribunal noted that at the first CMD Parties agreed that the tenancy between the Parties commenced on 26 July 2022, the tenancy ended on 20 November 2024, a deposit of £600 was paid by the applicant on 14 July 2022; £100 was to be deducted from the deposit leaving a balance due of £500, in terms of the tenancy agreement the Applicant was to provide to the Respondent meter readings on a monthly basis and was to pay for electricity used on a monthly basis along with the rent. The Tribunal noted from the Applicant's written submission that he agreed that during the tenancy only £33 was paid by him in respect of electricity.
5. The Tribunal noted that the written submission lodged by the Applicant did not provide a response to the Respondent's calculation of the sum due in respect

of electricity usage in the Property. The Tribunal asked the Applicant how much he thought was due in respect of electricity usage. The Applicant said that he did not dispute the Respondent's calculation. He said his concern was that incorrect rates had been given in the past. The Tribunal asked the Applicant if he agreed that a sum in excess of £500 was due by him to the Respondent in respect of electricity usage at the Property. He said that he did agree with that statement. The Tribunal asked the Applicant if he agreed that the £500 balance of the deposit should be retained by the Respondent in respect of electricity costs. He said that he did agree with that statement.

Reasons for the Decision

6. The Applicant accepted that he owed to the Respondent a sum in excess of £500 in respect of electricity usage at the Property and that the Respondent was entitled to retain the balance of the deposit of £500 towards the electricity costs. In those circumstances, the Application should be refused.

Decision

7. The Tribunal determined to refuse the application.

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.

Joan Devine

**Joan Devine
Legal Member**

Date : 27 November 2025