



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/25/2813

Re: Property at Flat 29 Wyvern House, School Lane, Inverness, IV1 1AG (“the Property”)

Parties:

Highland Housing Alliance, Fairways, Castle Heather, Inverness, IV2 6AA (“the Applicant”)

Mr Stefan John Robertson, 6 Lindsay Avenue, Inverness, IV3 5ET (“the Respondent”)

Tribunal Members:

Richard Mill (Legal Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that granted an order against the Respondent for payment to the Applicant the sum of Four Thousand Six Hundred and Ninety Two Pounds and Seventeen Pence (£4,692.17)

Introduction

This is an application under rule 111 and section 71 of the Private Housing (Tenancies) (Scotland) Act 2016. The CMD took place by teleconference on 13 February 2026 at 11.30 am. The applicant was represented by Miss Kirsty Donnelly of TC Young Solicitors. She was accompanied by two staff members from the applicant company. The respondent joined the hearing and represented his own interests. Following discussion all sums were agreed (adjusted where required). Both parties agreed to the terms of the payment order made.

Findings and Reasons

The property is Flat 29 Wyvern House, School Lane, Inverness IV1 1AG. The applicant is Highland Housing Alliance, who is the heritable proprietor. The respondent is the former tenant. The parties entered into a private residential tenancy which commenced on 5 March 2021. In terms of Clause 7 of the initial tenancy agreement the respondent undertook to pay rent at the rate of £598.51 per month. The rent was increased to £630.83 from 1 May 2022, to £648.17 from 1 August 2023 and again to £681.43 from 1 August 2024.

Throughout the duration of the tenancy the respondent fell into arrears of rent. The tenant vacated the property on 21 February 2025. The outstanding rent was £2,602.40. The tenancy deposit in the sum of £600 has been recovered the applicant in respect of part payment of the arrears. The arrears balance is reduced to £2,002.40. The tribunal attached weight to the unchallenged rent statement.

The applicant also seeks to recover charges incurred due to the respondent's failure to abide by other obligations in terms of the tenancy agreement and in particular to ensure that the let property's fixtures and fittings were kept clean during the tenancy.

Extensive cleaning works required to be undertaken after the respondent vacated, including cleaning of all floor coverings, the oven, hob and extractor fan. This resulted in a total cost of £290 which is evidenced by a corresponding invoice.

The respondent was liable to replace, repair or pay the reasonable cost of repairing or replacing any contents damaged during the tenancy where this was caused wilfully or negligently. Carpeted flooring in the hallway had to be replaced due to burn marks and ripped linoleum flooring had to be replaced in the kitchen. The cost of this amounted to £802.46. A corresponding invoice has been produced. Taking account of a one third deduction to account for age and wear and tear the sum of £534.97 was sought.

The applicant required to undertake redecoration works throughout the property due to blackening from soot on the walls and ceilings and marks on the walls. The cost of redecoration was £3,108 evidenced in terms of a corresponding invoice. The restricted sum of £1,864.80 was sought being 60% of the cost of the decoration to reflect the age of the decoration at the end of the tenancy and to account for reasonable wear and tear.

The total sum to be paid by the respondent is thus £4,692.17 when all charges are added together. The respondent accepted this sum and made no time to pay application.

The applicants sought interest at the rate of 8% per annum from the date of decision until payment. Such a request is equivalent to a crave for judicial interest which has no application to the First-tier Tribunal and is excessive. 4% per annum is an

appropriate rate of interest to be imposed by the Tribunal. This level was also agreed by both parties.

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.



13 February 2026

Legal Member/Chair

Date