



**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/21/1487**

**Re: Property at 5 Stuart Street, Flat 1/3, Old Kilpatrick, G60 5HA (“the Property”)**

**Parties:**

**Ms Michelle Bonner, 22 Skye Crescent, Old Kilpatrick, G60 5ER (“the Applicant”)**

**Ms Caoimh McCormick, 95 James Street, Flat 2/2, Glasgow, G40 1BZ (“the Respondent”)**

**Tribunal Members:**

**Alastair Houston (Legal Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment of £2025.00 be made in favour of the Applicant.**

**1. Background**

- 1.1 This is an application under Rule 111 of the Chamber Rules whereby the Applicant seeks an order for payment of £2025.00 due under a tenancy agreement between the parties in respect of damage to the property and its fixtures and furnishings by the Respondent.
- 1.2 The application was accompanied by copies of the written agreement between the parties, invoices relating to the sums due and a letter signed by the parties agreeing the sum due by the Respondent.

## **2. The Case Management Discussion**

- 2.1 The Case Management Discussion took place on 25 October 2021 by teleconference. The Applicant was represented by Mr Carnochan of Clydebank Estate and Letting. The Respondent was personally present. Mr Carnochan confirmed the amount sought by the Applicant. The tenancy ended on 2 March 2021. There had been damage done to the carpets, blinds, sofa and double bed in the property. The property required cleaning. He referred to the letter dated 5 March 2021 signed by the parties in which the Respondent acknowledged the debt due to the Applicant.
- 2.2 The Respondent confirmed she accepted that the debt remained due. She advised that the previous arrangement had broken down as she had suffered mental ill health. She was due to commence new employment next month and could pay the debt at the rate of £50.00 per week. She was seeking time to pay at this rate.
- 2.3 Following a brief adjournment, Mr Carnochan confirmed this proposal was satisfactory to the Applicant. The Respondent confirmed that payments would commence on 19 November 2021.

## **3. Reasons For Decision**

- 3.1 The Respondent accepted the debt was due. The Applicant's representative confirmed that the rate of payment proposed was acceptable. Accordingly, the Tribunal determined that a hearing was not necessary and granted the order sought to be paid at the rate of £50.00 per week commencing 19 November 2021.

## **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.**

Alastair Houston

25/10/2021

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**Legal Member/Chair**

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**Date**

