

Housing and Property Chamber
First-tier Tribunal for Scotland



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 16 of the Housing (Scotland)
Act 2014**

Chamber Ref: FTS/HPC/CV/19/1862

**Re: Property at Flat 4/3, 55 Mitchell Street, City Centre, Glasgow, G1 3LN (“the
Property”)**

Parties:

**Mr Anothny Jannetta, Mrs Rachel Jannetta, 109 Schreiner Drive,
Pennsylvania, PA19454, United States (“the Applicant”)**

Mr Jamie Crawford, UNKNOWN, UNKNOWN (“the Respondent”)

Tribunal Members:

Andrew Upton (Legal Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that the Respondent should be ordered to pay the
Applicants the sum of ONE THOUSAND ONE HUNDRED AND EIGHTY SEVEN
POUNDS AND FIFTY PENCE (£1,187.50) STERLING**

STATEMENT OF REASONS

1. This application called before me for a Case Management Discussion on 1 October 2019 at 11.30am. The Applicants were represented by Mrs Hamilton of Fineholm Lettings. The Respondent was neither present nor represented. I have had sight of a certificate of service of the application by advertisement on the Tribunal’s website and am satisfied that the application and information pertaining to the Case Management Discussion were properly served on the Respondent.
2. This application seeks payment by the Respondent to the Applicants in the total sum of £1,187.50. The Applicants contend that the said sum represents

rent arrears due by the Respondent to the Applicants at the time he vacated the property.

3. The Applicants' Representative lodged a print out from their electronic system showing payments falling due and made by the Respondent during his tenancy. I am grateful to Mrs Hamilton for explaining the ledger to me. The ledger shows rents due and paid, as well as the tenancy deposit being paid and miscellaneous expenditure in respect of the property.
4. I asked Mrs Hamilton to explain how the tenancy deposit received from the Respondent had been applied in this case. In response, she presented me with a "Termination Certificate" dated 6 October 2017 detailing the sums said to be due by the Respondent. This set out, in addition to the rent arrears claimed, charges for cleaning, repairs, and administration charges totalling £875. I was told that the true charges exceeded that value, but that the Applicants had compromised their claim to the sum equal to the deposit as opposed to incurring further costs pursuing the larger claim.
5. Mrs Hamilton moved me to grant an order for payment of £1,187.50, being the rent arrears due by the Respondent to the Applicant. Having satisfied myself that the tenancy deposit had been fully applied to other charges, I granted that order.

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 upton

Legal Member/Chair

1 October 2019

Date