



**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/20/0298

**Re: Property at 65 (Flat 4/2F) Bonaly Road, Edinburgh, EH13 0PB (“the
Property”)**

Parties:

**Mr Carl Moen, C/o DJ Alexander Ltd, 1 Wemyss Place, Edinburgh, EH3 6DH
 (“the Applicant”)**

**Mr Sean Letts, Ms Yvonne Hunter, 11 Swan Spring Avenue, Edinburgh, EH10
6NL; 11 Swan Spring Avenue, Edinburgh, EH10 6NL (“the Respondents”)**

Tribunal Members:

John McHugh (Legal Member)

Decision (in absence of the Respondents)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that the Respondents should be ordered to pay the sum
of £2919 to the Applicant.**

Background

The Applicant holds the landlord's interest and the Respondents the tenant's interest
in a short assured tenancy dated 8 October 2015.

The Applicant claims that the sum of £2919 is currently outstanding by the
Respondents to the Applicant in respect of unpaid rent and other charges

The Case Management Discussion

A Case Management Discussion (“CMD”) took place by conference call on 21
August 2020. The Applicant was represented by Dayna Greeney of their letting

agents. The Respondents were neither present nor represented. The Tribunal was satisfied that notification of the hearing had been given to the Respondents. The Respondents have taken no part in any stage of the proceedings. A previous CMD had taken place on 10 July 2020 which the Respondents did not attend.

The Applicant seeks payment of two months' unpaid rent in the total of £2810; cleaning charges of £296; window cleaning of £93 and damage to wall of £20. From this, the Applicant deducts the sum of £300 being the tenancy deposit recovered from the approved scheme.

Findings in Fact

The Applicant holds the landlord's interest and the Respondents the tenant's interest in a short assured tenancy dated 31 October 2017.

The Tenancy Agreement provides that rent is due at the rate of £1333.33 per month and is subject to increases.

It provides that the Respondents will be responsible for returning the Property in good repair and cleaned and obliges them to accept the Applicant's assessment of whether cleaning is required.

The Respondents' obligations are joint and several in terms of the Tenancy Agreement.

The lease ended on 5 August 2019.

The sum of £2919 is currently outstanding by the Respondents to the Applicant in respect of unpaid rent; cleaning and repairs after allowance for the Applicant's recovery of the deposit.

Reasons for Decision

The Applicant has established that sums are due under the tenancy agreement and unpaid to the extent of £2919. No counter argument has been presented and the Tribunal knows of none.

Decision

The Respondents should be ordered to pay to the Applicant the sum of £2919.

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.

John McHugh, Legal Member/Chair

21 August 2020

Date