



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 (Act)

Chamber Ref: FTS/HPC/CV/22/1187

Re: Property at 1B Erroll Street, Peterhead, AB42 1PU (“the Property”)

Parties:

Mrs Denise Nicolson, 10 Oleander Road, Peterhead, Aberdeenshire, AB42 3GS (“the Applicant”)

Mr Shaun Murphy, Keepers Cottage, Brucklay, Maud, Peterhead, AB42 4RJ (“the Respondent”)

Tribunal Members:

Alan Strain (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment be granted in the sum of £706.39 with interest at 4% per annum.

Background

This is an application under Rule 111 of *The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (Rules)* and section 71(1) of the Act in respect of a claim for payment of alleged rent arrears and cleaning costs of £706.39.

The Tribunal had regard to the following documents:

1. Application received 26 April 2022;
2. Private Residential Tenancy Agreement (**PRTA**) commencing 18 November 2019;
3. Rent Arrears Statement;
4. Certificate of Service from Sheriff Officers dated 26 July 2022.

Case Management Discussion (CMD)

The case called for a CMD by conference call on 2 September 2022. The Applicant participated and represented herself. The Respondent did not participate and was not represented.

The Tribunal was satisfied that the Respondent was aware of the CMD as he had received notification by Sheriff Officer. The Tribunal considered that it was fair to proceed and to determine the matter if it had sufficient information upon which to do so.

The Applicant made submissions to the effect that the tribunal should grant the order sought.

The Tribunal then considered the documentary evidence it had received and the submissions made. In so far as material the Tribunal made the following findings in fact:

1. The Parties let the subjects under a PRTA commencing 18 November 2019;
2. The monthly rent was £550; and
3. As at the date of the CMD the Respondent was in arrears of rent and due cleaning costs in the sum of £706.39.

Decision and Reasons

The tribunal was satisfied that in the circumstances the Applicant was due the outstanding rent and cleaning costs from the Respondent of £706.39 and granted the order sought.

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.

A. Strain

2 September 2022

Legal Member/Chair

Date