



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/22/3896

Re: Property at 2 Salmon Court, Kingholm Quay, Dumfries, DG1 4UN (“the Property”)

Parties:

Mrs Sarah Inglis, Mr Douglas Inglis, 10 Woodgreen Ave, Kings Park, Glasgow, G44 5SR (“the Applicant”)

Miss Natasha Jamieson, 28 Rosevale Rd, Dumfries, DG1 4HW (“the Respondent”)

Tribunal Members:

Richard Mill (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order be granted against the Respondent for payment to the Applicant of the sum of Six Hundred and Nine Pounds (£609)

Introduction

This is an application under rule 111 and section 71 of the Private Housing (Tenancies) (Scotland) Act 2016.

Service of the proceedings and intimation of the Case Management Discussion (CMD) was effected upon the respondent by Sheriff Officers on 23 January 2023.

The CMD took place by teleconference on 1 March 2023 at 2.00 pm. The first applicant joined the hearing personally and represented the applicants’ interests. The respondent failed to participate in the hearing.

Findings and reasons

The property is 2 Salmon Court, Kingholm Quay, Dumfries DG1 4UN.

The applicants are Mrs Sarah Inglis and Mr Douglas Inglis who are the heritable proprietors and registered landlords of the property. The respondent is Ms Natasha Jamieson who is the former tenant.

A private residential tenancy was entered into between the parties which commenced on 18 June 2020. The monthly rent was stipulated at £575 per month. A deposit in the sum of £575 was paid. The tenancy came to an end on 11 August 2022 when the respondent vacated the let property.

The respondent did not pay for her occupation of the property beyond 18 June 2022.

The applicants have recovered the respondent's deposit of £575 to reimburse them for the rent which was due between June and July 2022. The additional pro rata rent up to the time that the respondent vacated amounted to £484. This was for the period 18 July 2022 to 11 August 2022. This remains unpaid. A rent statement has been produced which details the rent falling due and the sums outstanding. The tribunal found this a credible and reliable document and attached weight to it.

Additionally, due to the condition of the property at the time of the respondent's departure, the applicants required to engage contractors to remove the rubbish left. An invoice in the sum of £125 evidences the expense incurred. Photographic evidence was offered. The sum sought is reasonable and not disputed.

The applicants seek to recover the total sum of £609 comprising the remaining unpaid rent, together with the cost of removing the rubbish (£484 plus £125). They are entitled to recover these sums.

The respondent refuses or unreasonably delays to pay the sums due to the applicants. A Payment Order is therefore necessary.

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.



Legal Member/Chair

1 March 2023

Date