



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/23/0948

Re: Property at 15 Bank Street, Grangemouth, FK3 8EY (“the Property”)

Parties:

Prentice Property Group Ltd, Prentice Property Group Ltd, 26 Marshall Drive, California, Falkirk, FK1 2AB (“the Applicant”)

Miss Shauna Angus, Mr Thomas Flanagan, 44 Brooke Street, Grangemouth, FK3 8SY (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) granted the Application and made a Payment Order in favour of the Applicants against the Respondents in the sum of £1,650.00.

Background

The Applicants seek a Payment Order in the sum of £1,650.00 for the costs of making good damage carried out to the Property by the Respondents following the ending of a tenancy between the parties.

The Case Management Discussion

The Application called for a Case Management Discussion (CMD) by conference call at 2pm on 27 June 2023. The Applicants were represented by Ms O'Rourke of Belvoir Letting Agents. Mr Flanagan appeared on his own behalf and also confirmed he was representing the First Respondent, Ms Shauna Angus. Neither party had any preliminary matters.

Mr Flanagan confirmed that he accepted the substance of the Application and that the case made out was true. Mr Flanagan made reference to a potential complaint against Belvoir in respect of how he described a final inspection that took place at the Property. The Tribunal concluded this had no bearing on this Application. For completeness though, Ms O'Rourke denied any impropriety on the part of her organisation.

Having heard from parties, the Tribunal made the following findings in fact.

Findings in Fact

- I. The parties had previously entered into a tenancy agreement whereby the Applicants let the Property to the Respondents on a Private Residential Tenancy;*
- II. When the Respondents vacated the Property, the Applicants had to incur costs of £1,650.00 to make good damage caused to the Property by the Respondents in breach of their obligations under the tenancy;*
- III. These costs were over and above the sums retained by the Applicants as a deposit;*
- IV. The Respondents accept this claim as being legitimate and well founded.*

Reasons for Decision

Having made the above findings in fact, the Tribunal decided to grant the Application and made a Payment Order in favour of the Applicants against the Respondents in the sum of £1,650.00. Ms O'Rourke did not seek interest and accordingly no interest on that sum was awarded.

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 McLaughlin

Legal Member/Chair

27 June 2023

Date