



**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/23/1340

Re: Property at 14F Forrester Park Grove, Edinburgh, EH12 9AJ (“the Property”)

Parties:

**Mr Mark Fletcher, Mrs Debbie Fletcher, 10 Roull Road, Edinburgh, EH12 7JS
 (“the Applicant”)**

Mr Colin John Middlemass, Unknown, Unknown (“the Respondent”)

Tribunal Members:

Alison Kelly (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 should be made.**

Background

The Applicant lodged an application on 26th April 2023 under Rule 111 of the First Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”) seeking payment of a sum of rent arrears.

Lodged with the Application were:

1. Copy Private Residential Tenancy with a commencement date of 2nd February 2021 and showing a rent of £650 per month and a deposit of £975
2. Rent Statement
3. Invoice dated 17th July 2022 from Bluestone cleaners in the amount of £472
4. Statement from Letting Protection Service showing deposit of £975 returned to the Applicants on 15th September 2022

The Applicants sought service by advertisement on the Tribunal's website, which was granted. The advertisement was published on the website on 3rd August 2023, and a Certificate of Advertisement was provided.

Case Management Discussion

The Case Management Discussion ("CMD") took place by teleconference. The Applicant was represented by Miss Baxter of The Flat Company. The Respondent did not attend and was not represented.

The Chairperson confirmed the purposes of a CMD in terms of Rule 17 of the Rules.

Miss Baxter confirmed that the tenancy came to an end on 24th June 2022. Cleaning had to be carried out at a cost of £472. The deposit was returned to the Applicants by the Letting Protection Service. Miss Baxter asked that an order be granted for payment in the amount of £1353. She said that this was calculated by adding the rent arrears of £1856 and the cleaning costs of £472, and deducting the returned deposit of £975.

Findings in Fact

1. The parties entered in to a tenancy agreement for rent of the property;
2. The monthly rent was £650;
3. The Respondent paid a deposit of £975;
4. The respondent left the property on 24th June 2022;
5. On 1st June 2022 the rent arrears owed were £1856;
6. Cleaning was required at a cost of £472;
7. The Applicants received return if the deposit in the amount of £975.

Reasons for Decision

The Respondent owes the Applicants the sum of £1353.

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.

Alison Kelly

4TH September 2023

Legal Member/Chair

Date