



**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/22/1723

**Re: Property at 14 Avondale Grove, East Kilbride, Glasgow, South Lanarkshire,
G74 1BF (“the Property”)**

Parties:

**Mrs Christina Skehan, 5 Orchard Gate, Larkhall, Lanarkshire, ML9 1HA (“the
Applicant”)**

**Mr Alan McGarrigle, 61 Larch Drive, East Kilbride, Glasgow, Lanarkshire, G75
9HE (“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 in the amount of £4377.36
should be made.**

Background

The Applicant lodged an application on 6th June 2022 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 money.

Lodged with the Application were:

1. Copy Tenancy Agreement showing a rent of £650 per month
2. Rent Statement
3. End of Tenancy Report
4. Copy handwritten letter from the respondent regarding the communal door lock
5. Invoice from Senako dated 22nd June 2022 in the amount of £492
6. Invoice from ocean Cleaning dated 9th June 2022 in the amount of £249

7. Invoice from WSS Group dated 31st March 2022 in the amount of £351.20 for the repair to the communal door lock

The Application was served on the Respondent by Sheriff Officer on 12th August 2022.

Case Management Discussion

The Case Management Discussion (“CMD”) took place by teleconference. The Applicant was represented by her husband, Paul Skehan. 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.

Mr Reynolds asked that an order be granted for payment in the amount of £4377.36. he said that the respondent had, in the last three weeks, made a payment of £150 to the letting agent towards the arrears. The deposit of £750 had also been returned to the Applicant by the tenancy deposit scheme. This was before the application to the tribunal was made and had already been deducted from the amount sought.

The payment he was seeking was broken down in to £3284.66 for rent arrears as shown on the rent statement, £741.50 in relation to cleaning and repairs as shown on the invoices from Senako for £492 and Ocean Cleaning for £249.50, and £351.20 for the communal door repair as shown in the invoice from WSS Group. Also produced was a copy of a handwritten letter which the Respondent had posted in the close of the property confirming that the lock had been broken by a drunken friend of his and it would be repaired at his expense.

Findings in Fact

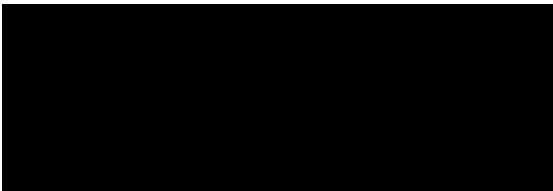
1. The parties entered in to a tenancy agreement for rent of the property;
2. The monthly rent was £650;
3. At the end of the tenancy and after claiming back the deposit the arrears were £3434.66;
4. In the last three weeks the respondent had made a payment of £150, bringing the arrears down to £3284.66;
5. The Respondent left the property in a state of uncleanliness and disrepair;
6. The applicant incurred costs of £492 to Senako for repairs;
7. The Applicant incurred costs of £249.50 to Ocean for cleaning;
8. A guest of the Respondent was responsible for breaking the lock on the communal entry door;
9. The tenancy agreement at Clause 53 allows this to be charged to the Respondent;
10. The cost was £351.20 as shown in the invoice from WSS Group.

Reasons for Decision

The Respondent owes rent to the Applicant the sum of £4377.36.

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

30/09/22

Date