



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland  
(Housing and Property Chamber) under Section 16 of the Housing (Scotland)  
Act 2016**

**Chamber Ref: FTS/HPC/CV/18/3463**

**Re: Property at 119 Wishart Drive, Broomridge, Stirling, FK7 7TR (“the  
Property”)**

**Parties:**

**Mrs Janet Muirhead, Capital Letters, 12 Spinners Wynd, Tillicoultry, FK13 6RL  
 (“the Applicant”)  
(Represented by Ms Arlene McKenna, Capital Letters, 54 Port Street, Stirling,  
FK8 2LJ)**

**Mr Chris Watterson, formerly residing at 119 Wishart Drive, Broomridge,  
Stirling, FK7 7TR and whose present whereabouts are unknown  
 (“the Respondent”)**

**Tribunal Members:**

**Gillian Buchanan (Legal Member)**

**Decision (in absence of the Respondent)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the  
Tribunal”) determined that:-**

- 1. The Applicant is the heritable proprietor of the Property.**
- 2. On 7 March 2018, the Applicant and the Respondent entered into a  
Private Residential Tenancy Agreement in terms of the Private Housing  
(Tenancies)(Scotland) Act 2016.**
- 3. In terms of the Tenancy Agreement the parties agreed, amongst other  
things:-**
  - (i) that the tenancy would commence on 16 March 2018,**
  - (ii) that a deposit of £465 would be paid by the Respondent to the  
Applicant at or before the start of the tenancy, and**
  - (iii) that the rent payable by the Respondent to the Applicant would be  
£465 per month, payable monthly in advance.**

4. The Respondent vacated the Property on 1 December 2018.
5. On vacating the Property, the Respondent left rent arrears of £244.60.
6. On vacating the Respondent left the Property generally unclean including, in particular, the cooker, hob, cooker hood, carpets and other furnishings. Rubbish also required to be removed and a damaged microwave replaced. The total value of these works is £412.00.
7. The Applicant has recovered the deposit previously paid by the Respondent from the tenancy deposit scheme into which the deposit was paid and has offset that amount against the various remedial costs incurred and the rent arrears.
8. The remaining balance claimed by the Applicant is £251.59.
9. The Tribunal was satisfied that the Hearing should proceed in the absence of the Respondent, the Respondent's whereabouts being unknown and the date and time of Hearing having been advertised on the Tribunal's website, all in terms of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 as amended.

### Decision

The Applicant is entitled to a decision in terms of which the Respondent is ordered to pay to the Applicant the sum of £251.59 and the Tribunal therefore made an order to that effect.

### 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.

G.Buchanan

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Legal Member/Chair

16/5/19  
\_\_\_\_\_  
Date