

Housing and Property Chamber
First-tier Tribunal for Scotland



**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/23/3024

Re: Property at 20A Arklay Street, Dundee, DD3 7JF (“the Property”)

Parties:

Mr Tariq Rashid, 17 Wendover Drive, Frimley, Surrey, GU16 9QP (“the Applicant”)

Ms Diane Wallace, sometime 20A Arklay Street, Dundee, DD3 7JF, whose present whereabouts are unknown (“the Respondent”)

Tribunal Members:

George Clark (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the application should be decided without a Hearing and made an Order for Payment by the Respondent to the Applicant of the sum of £1,241.02.

Background

By application, dated 31 August 2023, the Applicant sought an Order in respect of unpaid rent that had become lawfully due by the Respondent to the Applicant. The sum sought was £1,691.02, together with any additional sum that might be outstanding at the date of the Tribunal’s decision.

The application was accompanied by copies of a Short Assured Tenancy Agreement between the Parties, commencing on 30 July 2012 at a rent of £450 per month, and a Rent Statement showing arrears of £1,691.02 as at 30 August 2023.

Service of the application on the Respondent was by advertisement on the Tribunal’s website from 16 January 2024 until 4 February 2024, as her present whereabouts are unknown.

Case Management Discussion

A Case Management Discussion was held by means of a telephone conference call on the morning of 4 March 2014. The Applicant was represented by Mr David Wilkie of The Property Management Company, Tayport. The Respondent was not present or represented.

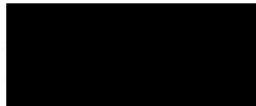
The Applicant's representative told the Tribunal that the Respondent had vacated the Property on 29 October 2023 and that the arrears at the end of the tenancy were £1,241.02, when the deposit was deducted. He asked that the application be amended to this lower sum. The Tribunal was content to allow the amendment.

Reasons for Decision

The Tribunal was satisfied that the sum sought in the application, as amended, had become lawfully due by the Respondent to the Applicant.

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

4 March 2024
Date