

**Housing and Property Chamber**  
First-tier Tribunal for Scotland

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**Decision 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/23/3865**

**Re: Property at 40 Firs Street, Falkirk, Stirling, FK2 7AY (“the Property”)**

**Parties:**

**Mr J Redfern t/a Matheson Glynn, 3a Broughton Place, Edinburgh, EH1 3RL (“the Applicant”)**

**Ms Senga Stuart, 40 Firs Street, Falkirk, Stirling, FK2 7AY (“the Respondent”)**

**Tribunal Member:**

**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 Applicants of the sum of £4,370.50.**

**Background**

1. By application, dated 1 November 2023, the Applicants sought an Order for Payment in respect of unpaid rent that had become lawfully due by the Respondent to the Applicant. The sum sought was £4,005.50.
2. The application was accompanied by a copy of a Private Residential Tenancy Agreement between the Parties commencing on 22 December 2021 at a rent of £365 per month and the Applicant later provided a Rent Statement showing arrears as at 22 October 2023 of £4,370.50.
3. On 3 January 2024, the Tribunal advised the Parties of the date and time of a Case Management Discussion and the Respondent was invited to make written representations by 24 January 2024.

### **Case Management Discussion**

4. A Case Management Discussion was held by means of a telephone conference call on the afternoon of 20 February 2024. The Applicant was represented by Mr James Redfern of Campbell and Deans Limited, letting agents, Falkirk. The Respondent was not present or represented.
5. Mr Redfern told the Tribunal that no payments had been received since the date of the application and that the arrears now stand at approximately £5,500.

### **Reasons for Decision**

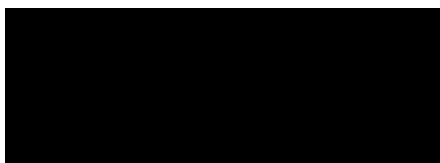
6. Rule 17 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 provides that the Tribunal may do anything at a Case Management Discussion which it may do at a Hearing, including making a Decision. The Tribunal was satisfied that it had before it sufficient information and documentation to enable it to decide the application without a Hearing.
7. The Tribunal was satisfied that the sum sought in the application, amended to £4,370.50, 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.**

**Since an appeal is only able to be made on a point of law, a party who intends to appeal the tribunal's decision may wish to request a Statement of Reasons for the decision to enable them to identify the point of law on which they wish to appeal. A party may make a request of the First-tier Tribunal for Scotland (Housing and Property Chamber) to provide written reasons for their decision within 14 days of the date of issue of this decision.**

**Where a Statement of Reasons is provided by the tribunal after such a request, the 30 day period for receipt of an application for permission to appeal begins on the date the Statement of Reasons is sent to them.**



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**Legal Member/Chair**

**20 February 2024**  
**Date**

