



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71(1) of the Private Housing (Tenancies) (Scotland) Act 2016**

**Chamber Ref: FTS/HPC/CV/23/2578**

**Re: Property at 48 Loudon Avenue, Galston, KA4 8DD (“the Property”)**

**Parties:**

**Nelson Properties Limited, 1 Ratho Street, Greenock, PA15 2BU (“the Applicant”) per their agents, Corbett and Shields, 1 Ratho Street Greenock PA15 2BU (“the Applicant’s Agents”)**

**Miss Lynn Haswell, 3 Loudon Avenue, Galston, KA4 8DB (“the Respondent”)**

**Tribunal Members:**

**Karen Moore (Legal Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Application be dismissed.**

1. By application received between 2 August 2023 and 6 October 2023 (“the Application”), the Applicants’ Agents applied to the Tribunal for an Order for payment of rent due and owing arising from a private residential tenancy agreement between the Applicant and the Respondent. The Application comprised a copy of the tenancy agreement at a rent of £550.00 per month, a rent statement showing £6,050.00 due and owing at October 2023. The Application was accepted by the Tribunal and a Case Management Discussion (the “CMD”) was fixed for 5 April 2024 at 10.00 by telephone conference.

**CMD**

2. The CMD took place on 5 April 2024 at 10.00 by telephone. None of the Applicant, the Applicant’s Agents or the Respondent took part. The Tribunal noted that the CMD had been intimated to the Parties and to the Respondent, in particular, by Sheriff Officer.

**Decision and reasons for the decision**

3. The Tribunal had regard to Rule 17(4) of the Rules which states that the Tribunal “may do anything at a case management discussion .....including making a decision”  
The Tribunal had no information on which to determine if the sum claimed as due and owing remained due and owing. Therefore, the Tribunal dismissed the Application.

### **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**

**5 April 2024**  
**Date**