



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 71 of the Private Housing
(Tenancies) (Scotland) Act 2016 for Civil Proceedings in relation to a Private
Residential Tenancy.**

Chamber Ref: FTS/HPC/CV/20/0001

Re: Property at 3 Craigie Street, Flat 1-2, Glasgow, G42 8NG (“the Property”)

Parties:

Mr Miraj Ahmad, 22 Boyd Street, Flat 0/1, Glasgow, G42 8AW (“the Applicant”)

Mr Dhani Karl Gowans, ADDRESS UNKNOWN, ADDRESS UNKNOWN (“the Respondent”)

Tribunal Members:

Karen Kirk (Legal Member)

This Hearing was a Case Management Discussion fixed in terms of Rule 17 of the Procedure Rules and concerned an Application under Section 71(1) of the Private Housing (Tenancies) (Scotland) Act 2016 (hereinafter referred to as “the 2016 Act”) for civil proceedings in relation to a private residential tenancy. The purpose of the Hearing being to explore how the parties dispute may be efficiently resolved. The purpose of the hearing was explained and it was understood a final decision on the Application could also be made.

Attendance and Representation

The Applicant was represented by Mr Siraj Ahmad, 4-10 Darnley Street, 1st Floor, Glasgow, G41 2SE.

The Respondent did not attend the Tribunal. No written representations had been received. His whereabouts remain unknown. Service of the Application had been affected appropriately by advertisement.

Preliminary Matters

There were no preliminary matters arising.

Matters Raised

The Applicant's representative confirmed that a payment order for the amount of £1210 was sought. The Applicant's representative gave full details and made submissions regarding this. It was noted the Respondent left the property in early 2020 without providing notice. The Respondent had made one payment of £200 at the start of the PRT which commenced in May 2020 but no other payments made. There was therefore no rent statement as no rent had been paid. The Tenancy agreement lodged confirmed the contractual monthly amount due was £450. The Tribunal had previously under reference number FTS/HPC/CV/19/2819 granted a payment order but until the date of this second application on 20th September 2020 the Applicant sought the remaining amount.

There were no other matters arising.

Decision (in the absence of the Respondents)

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") granted a payment order against the Respondents for the sum of £1210

Reasons for Decision and Findings in Fact

- 1. The Tribunal was satisfied that the Respondent had been notified of the Application.**
- 2. Rule 17 of the Procedure Rules provides that a Tribunal can do anything at a CMD which it may do at a Hearing, including making a decision. The Tribunal was satisfied that the Tribunal had everything before it that it would require in order to make a decision having regard to the Overriding Objective.**
- 3. Service by advertisement on the Respondent had taken place.**
- 4. The PRT commenced on 16th May 2019.**
- 5. The contractual month amount due for rent was £450.**
- 6. The Respondent had paid one amount of £200 in June 2019 and nothing since.**
- 7. The tribunal was satisfied that the Respondents on the evidence before it owed rent to the amount of £1210 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.

Karen Kirk

Legal Member/Chair

5 August 2020

Date