



**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 (Act)**

**Chamber Ref: FTS/HPC/CV/19/2170**

**Re: Property at Flat 2/6, 6 Walls Street, Merchant City, Glasgow, G1 1PA (“the  
Property”)**

**Parties:**

**Mr David Henderson, 97A Derryhale Road, Portadown, Co Armagh (“the  
Applicant”)**

**Mr Mohammed Nabeel Uddin, Flat 2/6, 6 Walls Street, Merchant City, Glasgow,  
G1 1PA (“the Respondent”)**

**Tribunal Members:**

**Alan Strain (Legal Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the  
Tribunal”) determined that the Respondent be ordered to pay the Applicant the  
sum of £4,340.00.**

**Background**

This was an application for payment under section 16 of the Act and Rule 70 of the  
Tribunal Procedure Rules. The application was in respect of alleged rent arrears.

The Tribunal had regard to the following documents:

1. Application received 11 July 2019;
2. Assured Tenancy (AT) dated 2 March 2016;
3. Rent Statement.

**Case Management Discussion (CMD)**

The case called for a CMD on 9 September 2019. The Applicant was not present but was represented by Ms Morrison, Solicitor. The Respondent did not appear and was not represented.

The Tribunal was satisfied that the Respondent had been served with notification of the CMD by Sheriff Officers on 9 August 2019. The Respondent was aware that the Tribunal could proceed in his absence and, if satisfied that it had sufficient information to do so and the procedure was fair, make a decision.

The Tribunal considered the documentation and made the following findings in fact:

1. The Parties entered in to an AT commencing 2 March 2016;
2. The monthly rent was £650;
3. As at the date of the CMD the Respondent was in arrears of rent in the sum of £4,340.00.

The Tribunal considered that it had sufficient information upon which to determine the matter at this stage and that the procedure had been fair. The Tribunal considered the amount of the rental arrears had been established.

The arrears having been established the Tribunal had no discretion other than to grant the order for payment in the amount sought.

### 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.

**Alan Strain**

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Legal Member/Chair

9 September 2019  
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Date