

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/19/2175

**Re: Property at 33 Arranview Street, Chapelhall, Airdrie, ML6 8XN (“the
Property”)**

Parties:

**Mr Barry Delaney, 15 Melbury Avenue, Didsbury, Manchester, M20 6FH (“the
Applicant”)**

**Ms Lynsey O'Hara, 49 Arranview Street, Chapelhall, Airdrie, ML6 8XN (“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 granted without a Hearing
and made an Order for Payment**

By application, received by the Tribunal on 11 July 2019, the Applicant sought an Order for Payment in respect of arrears of rent that had become lawfully due by the Respondent. The sum sought was £4,050.

The application was accompanied by copies of a Short Assured Tenancy Agreement between the Parties, commencing on 1 November 2014 and a Rent Statement showing arrears as at 4 July 2019 of £4,050.

On 3 September 2019, the Tribunal advised the Parties of the date, time and venue for a Case Management Discussion and the Respondent was invited to make written representations by 24 September 2019. The Respondent did not make any written representations to the Tribunal.

Case Management Discussion

A Case Management Discussion was held at Glasgow Tribunals Centre, 20 York Street, Glasgow on the morning of 7 November 2019. The Applicant was

represented by Mr Michael Ritchie of Hardy Macphail solicitors, Glasgow.. The Respondent was not present or represented. Mr Ritchie asked the Tribunal to grant the application without a Hearing.

Reasons for Decision

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 all the information and documentation it required and that it would determine the application without a Hearing. The Tribunal was satisfied that the sum sought was lawfully due by the Respondent to the Applicant.

Decision

The Tribunal determined that the application should be granted without a Hearing and made an Order for Payment by the Respondent to the Applicant of the sum of £4,050.

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.

George Clark

Legal Member/Chair

7 November 2019

Date