



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 18 of the Housing (Scotland)
Act 1988**

Chamber Ref: FTS/HPC/EV/19/3167

**Re: Property at 22 Woodlands Drive, Newton Stewart, DG8 6GY ("the
Property")**

Parties:

**Novantie Ltd, DGHP, Grierson House, Bankend Road, Dumfries, DG1 4ZS ("the
Applicant")**

**Miss Samantha McCaig, Mr Gareth Barr, 22 Woodlands Drive, Newton Stewart,
DD8 6GY ("the Respondent")**

Tribunal Members:

Mark Thorley (Legal Member)

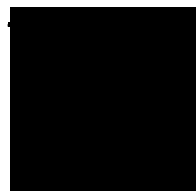
Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the
Tribunal") determined that an order for recovery of possession of the property
be made**

Background

**The applicant applied to the First-Tier Tribunal under Rule 65 for recovery of
possession of the property. Accompanying the application was a copy of the
Short Assured Tenancy Agreement, copy Notice to Quit together with Sheriff
Officers' Certificate of Service, copy AT6 Notice, copy rent statement, a copy
of a letter intimating rent increase and copy Section 11 Notice to the Local
Authority.**

**The application was served by Sheriff Officers. There was no response from
the respondents.**



Case Management Hearing

At the case management hearing Mr Watt and Ms Callender appeared for the applicant. There was no appearance by or for the respondents.

It was confirmed at the case management hearing that no payment of rent had been received from the respondents subsequent to the raising of the application.

Findings in Fact

- 1. There was a Short Assured Tenancy Agreement between the parties dated 28 April 2017.**
- 2. Rent was due initially at the sum of £481.39 per calendar month.**
- 3. By way of rent increase the rent was increased to the sum of £500.37 on 1 August 2019.**
- 4. As at 1 September 2019 the sum of £2,697.33 was due to be paid.**
- 5. No payment of rent had been received since 1 April 2019. The amount due in terms of rent was £2,697.33.**

Reasons for decision

The applicant's representative spoke to the outstanding amount of rent. There was a rent statement prepared. No challenge was made by the respondents. The applicant's representative confirmed that no rent had been paid since 1 April 2019. In the circumstances an order for payment of rent was granted.



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

Mark Thorley

10 Dec 2019

Date