



**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/19/3758

**Re: Property at First Floor Flat, 33 Carron Gardens, Stonehaven, AB39 2FE
("the Property")**

Parties:

**Mrs Clare Thomas, 30 Malcolms Mount, Stonehaven, AB39 2SR ("the
Applicant")**

**Mrs Sheena McKenzie, First Floor Flat, 33 Carron Gardens, Stonehaven, AB39
2FE ("the Respondent")**

Tribunal Members:

John McHugh (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 payment of the sum of £4950 by the
Respondent to the Applicant plus interest should be made.**

Background

The Applicant is the landlord and the Respondent the tenant in terms of a short
assured tenancy of the Property dated 1 August 2017.

The Case Management Discussion

A Case Management Discussion took place at Aberdeen Sheriff Court on 30 January
2020. The Applicant was represented by Aaron Doran of Raeburn Christie Clark and
Wallace solicitors. The Respondent was neither present nor represented.

Findings in Fact

The Applicant is the landlord and the Respondent the tenant in terms of a short assured tenancy agreement of the Property dated 1 August 2017.

The Applicant began occupying the Property from 1 August 2017. She remains in occupation.

In terms of the tenancy agreement rent was payable by the Respondent at the rate of £550 per month.

The Respondent has failed to pay the rent payments due from February 2019 until the date of the Application, being nine months' rent totalling £4950.

Reasons for Decision

The Respondent is obliged to pay the sums of rent outstanding. No reason for non payment has been offered. The Applicant seeks interest on the unpaid rent. The Applicant's representative was in agreement with the Tribunal that interest at half of the judicial rate appears appropriate.

Decision

The Respondent will be ordered to pay the sum of £4950 plus interest at the rate of 4% per annum 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.

J. McHugh

John McHugh, Legal Member/Chair

30 January 2020

Date