



**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/19/3914

Re: Property at 42 Lochbrae Drive, Rutherglen, G73 5QN (“the Property”)

Parties:

**Ringley Park Properties Ltd, Office 2 - Room 8, Kirkhill House, Broom Road
East, Newton Mearns, G77 5LL (“the Applicant”)**

**Mr Paul Gordon, Ms Caroline Nicholl, 42 Lochbrae Drive, Rutherglen, G73
5QN; 42 Lochbrae Drive, Rutherglen, G73 5QN (“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 decided without a
Hearing and made an Order for Payment by the Respondent to the Applicant of
the sum of £3,300.**

Background

By application, received by the Tribunal on 10 December 2019, the Applicant sought an Order for Payment in respect of unpaid rent that had become lawfully due by the Respondent to the Applicant. The sum sought was £2,200.

The application was accompanied by copies of a Private Residential Tenancy Agreement between the Parties commencing on 19 July 2019 at a rent of £550 per month, and a Rent Statement showing arrears as at 1 December 2019 of £2,200, with no payments having been made since 2 September 2019, that being the rent that had fallen due on 1 August 2019.

On 3 January 2020, 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 January 2020. The Respondent did not make any written representations to the Tribunal.

On 23 January 2020, the Applicant sought permission to amend the application by increasing the sum sought to £3,300. A copy of the request for amendment was sent by the Tribunal to the Respondent.

Case Management Discussion

A Case Management Discussion was held at Glasgow Tribunals Centre, 20 York Street, Glasgow on the morning of 3 February 2020. The Applicant was represented by their Property Manager Mr James McMillan. The Respondent was not present or represented.

The Respondent told the Tribunal that no payments of rent had been received since September 2019 and asked the Tribunal to decide 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 to enable it to make a Decision without a Hearing.

The Tribunal was satisfied that the sum sought, now £3,300, had become lawfully due by the Respondent to the Applicant and decided to accept the request to amend the sum sought to that amount.

Decision

The Tribunal determined that the application should be decided without a Hearing and made an Order for Payment by the Respondent to the Applicant of the sum of £3,300.

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

3 February 2020

Date