



**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/19/3946

**Re: Property at 3 Freeneuk Lane, Cambuslang, Glasgow, G72 7JW (“the
Property”)**

Parties:

Miss Trudy Rossi, 9 Alexander Avenue, Eaglesham, G76 0JG (“the Applicant”)

**Mr Kris Willmont, 3 Freeneuk Lane, Cambuslang, Glasgow, G72 7JW (“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 the Respondent to the Applicant of the
sum of Five Thousand Five Hundred Pounds (£5,500).**

Background

By application, received by the Tribunal on 12 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 £4,500.

The application was accompanied by copies of a Short Assured Tenancy Agreement between the Parties commencing on 1 November 2017 at a rent of £500 per month and a Rent Statement showing arrears as at 1 December 2019 of £4,500.

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 8 January 2020, the Applicant sought leave to amend the application to increase the amount sought to £5,500. Intimation of the request to amend was sent to the Respondent by First Class and Recorded Delivery post on that date.

Case Management Discussion

A Case Management Discussion was held at Glasgow Tribunals Centre, 20 York Street, Glasgow on the afternoon of 3 February 2020. The Applicant was represented by Kirsty Morrison of TC Young, solicitors, Glasgow. The Respondent was not present or represented. The Applicant's representative asked the Tribunal to accept the amendment to the application and to decide the application without a Hearing. She confirmed that no rental payments had been received since the date of the application.

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 decide the application without a Hearing.

The Tribunal was content to accept the amendment to the application and was satisfied that the sum sought in terms of the application, as amended, had become 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 Five Thousand Five Hundred Pounds (£5,500).

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.

G.Clark

Legal Member/Chair

3 February 2020

Date