

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/19/1587

Re: Property at 118 St Margarets Avenue, Dalry, KA24 9BE (“the Property”)

Parties:

**Mr Malcolm Steel, c/o Ayrshire Letting and Sales, 26 Ritchie Street, West
Kilbride, KA23 9AL (“the Applicant”)**

Ms Joanna Ramsey, UNKNOWN, UNKNOWN (“the Respondent”)

Tribunal Members:

Alison Kelly (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 in the amount of £2073.64 be
made.**

Background

On 23rd May 2019 the Applicant’s Agent lodged an application under Rule 70 of the
Tribunal’s Rules seeking payment by the Respondent of rent arrears.

Lodged with the Application was a rent statement.

A Case Management Discussion was fixed for 7th October 2019 but had to be
cancelled as service by Sheriff Officers failed.

Service by Advertisement on the Tribunal’s website was allowed, and was carried
out between 3rd October and 7th November 2019. A Certificate of Service by
Advertisement was produced by the Clerk.

Case Management Discussion

The Applicant was represented by Mrs McCallum and Miss Austin of Ayrshire Letting and Sales. The Respondent did not appear and was not represented.

Mrs McCallum spoke on behalf of the Applicant. She moved that the order for payment be granted in the amount sought. As at today's date the arrears are £4623.64. Universal Credit had been in payment to the Respondent for periods during the tenancy, but it stopped in February 2019, and there had been no payment towards rent by anyone since then.

Findings In Fact

1. The parties entered in to a Tenancy Agreement in respect of the property;
2. The rental payment was £425 per month
3. As at the date of service of the AT6 the arrears were £1648.64;
4. As at the date of the Case Management Discussion the arrears were £4623.64;
5. The amount sought by the Applicant was due by the Respondent.

Reasons For decision

The amount sought by the Applicant was due by the Respondent.

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.

A Kelly

Legal Member/Chair

(Signature)

7/11/19

Date