

**Housing and Property Chamber**  
First-tier Tribunal for Scotland

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**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Rule 70 of the The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017.>**

**Chamber Ref: FTS/HPC/CV/18/2807**

**Re: Property at 86 Kintore Road, Langside, Glasgow, G43 2JW (“the Property”)**

**Parties:**

**Mr Liam Donnelly, 15 Law Place, Nerston Industrial Estate, East Kilbride, G74 4QL (“the Applicant”)**

**Miss Krishna Kaur, Address Unknown (“the Respondent”)**

**Tribunal Member:**

**Martin McAllister (Legal Member)**

**Decision (in absence of the Respondent)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Respondent pay the sum of Two thousand and fifty three pounds and twenty three pence (£2,053.23) to the Applicant.**

**Background**

**The Applicant seeks an order of payment in respect of rent arrears due in respect of the Property. The application which was received by the Tribunal on 19<sup>th</sup> October 2018 stated that the amount sought is £3,353.23.**

**There had been difficulties with regard to service on the Respondent and this had eventually been effected by advertisement on the Tribunal website. A Certificate in respect of this was produced.**

**Case Management Discussion**

**A case management discussion was held on 2<sup>nd</sup> August 2019. Mr Robert Nixon of Ritehome, letting agents of the Applicant, was present.**

**There was no appearance by the Respondent.**

## **Preliminary Matters**

Mr Nixon said that the sum being sought was no longer £3,353.23 because the sum of £1,300 had been received in respect of return of the deposit. He said that the Applicant was seeking an order for payment of £2,053. Mr Nixon lodged an up to date rent statement.

## **Findings in Fact**

1. The Applicant and the Respondent were parties to a tenancy agreement in respect of the Property dated 22<sup>nd</sup> December 2015.
2. There are rent arrears of £2,053.23 after allowance for the deposit of £1,300.

## **Reasons**

The Applicant had lodged a copy of the tenancy agreement and a rent statement showing the arrears. Mr Nixon confirmed that the amount outstanding is £2,053.23. It is considered reasonable to accept the sum outstanding and Mr Nixon was considered to be credible in this regard.

## **Decision**

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Respondent pay the sum of Two thousand and fifty three pounds and twenty three pence (£2,053.23) 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.

# **M McAllister**

**Martin J. McAllister Legal Member** 2<sup>nd</sup> August 2019

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