



Note on the Case Management Discussion of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 26 of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 ('The Procedure Rules) in relation to an application for civil proceedings relative to an Assured Tenancy under Rule 70 of the Procedure Rules.

Chamber Ref: FTS/HPC/CV/20/0703

Re: Flat 2/2, 14 South Street, Greenock, PA16 8TX ("the Property")

Parties:

James McFadden, West Renfrew House, 26 Brougham Street, Greenock, PA16 8AD ("the Applicant")

Inverclyde Letting Agency, West Renfrew House, 26 Brougham Street, Greenock, PA16 8AD ('The Applicants' Representative')

Stacey McKechnie residing at 98 Rankin Street, Greenock, PA16 7JW ("the Respondent")

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal")

Tribunal Member: Jacqui Taylor (Legal Member)

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined that the application should be dismissed.

Background

1. The Applicant submitted an application to the Tribunal for payment of arrears of rent in the sum of £400 being the sum outstanding as at 14th November 2019, the termination date of the tenancy between the parties.

2. Documents lodged with the Tribunal.

Documents lodged with the Tribunal by the Applicants were:

2.1 A copy of the Tenancy Agreement.

2.2 A copy of a rent statement for the period 14th July 2017 to 14th October 2019 which showed that the outstanding rent amounts to £400.

3. Case Management Discussion

This case called for a Case Management Discussion (CMD) Conference call on at 10am on 4th August 2020.

Alison Hatrick of Inverclyde Letting Agency attended on behalf of the Applicant. The Respondent did not attend and was not represented. The Tribunal Administration had sent the Respondent a letter served by Graeme Kirk, sheriff officer on 26th June 2020 advising her of the CMD.. The Tribunal was satisfied that the requirements of Tribunal Rule 29 had been met and proceeded with the CMD.

Alison Hatrick advised the Tribunal that the Respondent had recently paid the sums due to the Applicant in full and she was happy for the application to be dismissed. She confirmed that the payment had cleared.

4. Decision

The Tribunal dismissed the Application.

5. 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 Taylor

Legal Member

4th August 2020

