

**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 Section 16 of the Housing (Scotland)  
Act 2014**

**Chamber Ref: FTS/HPC/CV/18/0116**

**Re: Property at 1st Floor Left, 22 Charlotte Street, Aberdeen, AB25 1LR (“the  
Property”)**

**Parties:**

**Marnox Properties Ltd, 144 Crown Street, Aberdeen, AB11 6HS (“the  
Applicant”)**

**Mr Ricki Barron, 1st Floor Left, 22 Charlotte Street, Aberdeen, AB25 1LR (“the  
Respondent”)**

**Tribunal Members:**

**Valerie Bremner (Legal Member) and Frances Wood (Ordinary Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the  
Tribunal”) determined that**

**This is an application by Marnox Properties Ltd brought in terms of Rule 70  
(Application for civil proceedings in relation to an assured tenancy) of the  
First Tier Tribunal for Scotland Housing and Property Chamber (Procedure)  
Regulations 2017 as amended.**

**The Applicant attended the Hearing with a legal representative Mr Stuart  
Smith. As well as the application and tenancy agreement the Applicant had  
lodged a statement of rent paid and an updated statement was provided to the  
Tribunal on the day of the Hearing.**

**The Respondent had been validly served by Sheriff Officers with the  
notification, application and statement of rent and I was presented with an  
execution of service.**

The Respondent did not attend the Hearing and the Applicant's solicitor Mr Smith invited the Tribunal to proceed in his absence and the Tribunal being satisfied that the Respondent had been given due notice in terms of the Rules was prepared to proceed in his absence.

The Applicant's employee Lorna Robb gave evidence to the Hearing that the respondent was in arrears of £550 up to and including the rent for March 2018 which fell due at the beginning of March 2018. The updated statement of rent confirmed this figure.

The Applicant's representative moved for a payment order in the sum of £550.

Having considered the Tenancy agreement, statement of rent and updated statement and the evidence given by Lorna Robb of behalf of the Applicant the Tribunal was satisfied that the sum of £550 in rent is lawfully due by the Respondent to the Applicant. The Tribunal made a Payment Order for £550 to be paid by the Respondent 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.

**Valerie Bremner**

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**Legal Member/Chair**

**March 16<sup>th</sup> 2018**

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**Date**