



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 16 of the Housing (Scotland)
Act 2016**

Chamber Ref: FTS/HPC/CV/19/0028

Re: Property at 55 Tontine Park, Renton, Alexandria, G82 4LP (“the Property”)

Parties:

Mr Abdul Ghani, 21 Inchcruin, Balloch, Alexandria, G83 8GS (“the Applicant”)

**Mr Paul Barry Ferguson, Mr Paul John McFetridge, 55 Tontine Park, Renton,
Alexandria, G82 4LP (“the Respondent”)**

Tribunal Members:

Fiona Watson (Legal Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that an order is granted against the Respondent(s) for
payment of the undernoted sum to the Applicant(s):**

**Sum of TWO THOUSAND SEVEN HUNDRED AND SEVENTY-FIVE POUNDS
AND THIRTY PENCE (£2,775.30) STERLING**

- Background

An application was made to the Tribunal under Rule 70 of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 (“the Rules”). Said application sought an order for payment in the sum of £1950, in respect of rent arrears accrued by the Respondents under an assured tenancy agreement entered into with the Applicant. The application was subsequently amended in terms of Rule 14A of the Rules to increase the sum sought to £2775.30.

- The Case Management Discussion

A Case Management Discussion (“CMD”) took place on 14 May 2019. The Applicant was represented by Fraser Cameron of Gilson Gray, Solicitors. There was no appearance by or on behalf of the Respondents.

Mr Cameron, on behalf of the Applicant, sought an Order for Payment in the sum of £2775.30 in terms of his application (as amended). An updated rent statement was before the Tribunal which confirmed the sum due.

- Findings in Fact

The Tribunal made the following findings in fact:

1. The parties entered into a tenancy agreement which commenced on 12 January 2017 and which was still ongoing at the date of the CMD
2. In terms of Clause 4 of said tenancy agreement, the Respondents agreed to pay a monthly rent of £450 to the Applicant
3. At the date of the CMD, rent arrears were due to the Applicant by the Respondents in the sum of £2775.30.

- Reasons for Decision

The Tribunal was satisfied that the Respondents had a contractual liability to pay a monthly rent of £450 to the Applicant, in terms of their obligations under Clause 4 of the said tenancy agreement. The Respondents were in breach of said obligations and the Applicant is therefore entitled to the order for payment as sought.

- Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) determined that an order is granted against the Respondent(s) for payment of the undernoted sum to the Applicant(s):

Sum of TWO THOUSAND SEVEN HUNDRED AND SEVENTY-FIVE POUNDS
AND THIRTY PENCE (£2,775.30) STERLING

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.

Fiona Watson

Legal Member/Chair

14/5/19

Date