



**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/19/1768**

**Re: Property at 63 Braemar Court, Hazelden Gardens, Muirend, Glasgow, G44 3HF (“the Property”)**

**Parties:**

**Ms Anna Castelvechi, 20 Main Road, Fairlie, Largs, KA29 0DP (“the Applicant”)**

**Mr James Fleming, 63 Braemar Court, Hazelden Gardens, Muirend, Glasgow, G44 3HF (“the Respondent”)**

**Tribunal Members:**

**Nicola Irvine (Legal Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) granted an order for payment against the Respondent in the sum of £2,134.25.**

**Background**

The Applicant submitted an application seeking an order for payment in respect of arrears of rent relating to the Respondent’s tenancy of the property at 63 Braemar Court, Hazelden Gardens, Muirend, Glasgow. A case management discussion took place on 28<sup>th</sup> November 2019 and reference is made to the notes from that case management discussion. The Tribunal served notice of the proceedings by advertisement on 16<sup>th</sup> December 2019 with details of the date, time and place of today’s case management discussion.

### **The Case Management Discussion**

The Applicant was represented by Ms Pamela Davren from Fineholm Letting Services Ltd. The case management discussion took place in the absence of the Respondent. The Applicant's representative advised that the arrears amount to £2,134.25. She advised that the Respondent has not made any contact to arrange to repay the arrears of rent since his departure from the property in June 2019. The Applicant sought an order for payment in the sum of £2,134.25.

### **Findings in Fact**

1. The Respondent entered into a Tenancy Agreement in respect of the property dated 24<sup>th</sup> July 2017.
2. The initial rent payable was £850 per month, payable in advance.
3. Rent increased to £879.75 per month in July 2018.
4. The Respondent has accrued rent arrears of £2,134.25.
5. The Applicant is entitled to the Order sought for payment in the sum of £2,134.25 in respect of rent arrears.

### **Reason for Decision**

The Applicant has produced documentation which shows that the rent arrears amounted to £2,134.25 at the date of today's case management discussion. The Tribunal proceeded on the basis of the documents lodged and the submissions made at the case management discussion. The Tribunal was satisfied that rent arrears are due by the Respondent and therefore granted the order for payment.

### **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.**

N Irvine

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Legal Member/Chair

20<sup>th</sup> January 2020

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Date