

Housing and Property Chamber
First-tier Tribunal for Scotland



Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 16 of the Housing (Scotland) Act 2014 (“the Act”)

Chamber Ref: FTS/HPC/CV/18/2135

Re: Property at 34 Langton Crescent, Barrhead, East Renfrewshire, G78 2HD (“the Property”)

Parties:

Mr Brian Smith, C/O Infiniti Properties, 1016 Argyle Street, Glasgow, G3 8LX (“the Applicant”)

Ms Pamela Kennedy, 34 Langton Crescent, Barrhead, East Renfrewshire, G78 2HD (“the Respondent”)

Tribunal Members:

Jim Bauld (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order should be granted for payment in the sum of £358.87

Background

By application received on 15 August 2018, the applicant sought an order under section 16 of the Housing (Scotland) Act 2014 and in terms of rule 70 of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017.

On 23 August 2018, the application was accepted by the Tribunal and referred for determination by the tribunal.

The Case Management Discussion

The Case Management Discussion (CMD) took place on 18 October 2018. The applicant was represented by his solicitor, Mr Michael Ritchie. The respondent did not attend.

The tribunal explained the purpose of the CMD and the powers available to the tribunal to determine matters. The tribunal asked various questions with regard to the application and the applicant confirmed that he wished the tribunal to grant the order sought in the application.

Findings in Fact

The Applicant and the Respondent as respectively the landlord and tenant entered into a tenancy of the property on 7 January 2013.

The tenancy was a short assured tenancy in terms of the Act.

As at 27 July 2018, the respondent owed rent arrears to the applicant in the sum of £358.87. Appropriate accounting had been provided with the application to the tribunal.

Decision

The order for payment of arrears is granted.

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.

Since an appeal is only able to be made on a point of law, a party who intends to appeal the tribunal's decision may wish to request a Statement of Reasons for the decision to enable them to identify the point of law on which they wish to appeal. A party may make a request of the First-tier Tribunal for Scotland (Housing and Property Chamber) to provide written reasons for their decision within 14 days of the date of issue of this decision.

Where a Statement of Reasons is provided by the tribunal after such a request, the 30 day period for receipt of an application for permission to appeal begins on the date the Statement of Reasons is sent to them.

J Bauld

Legal Member/Chair

18 October 2018
Date