

**Housing and Property Chamber**  
First-tier Tribunal for Scotland



**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 and Schedule 5 Ground 8 of the Housing (Scotland) 1988 Act**

**Chamber Ref: FTS/HPC/CV/18/0452**

**Re: Property at 0-2 16 Lochburn Gate, Glasgow, G20 0SN (“the Property”)**

**Parties:**

**Mr John Dempsey, 21 Duntocher Road, Glasgow, G61 4DE (“the Applicant”)**

**Miss Shannon Scott, Flat 2/2, 176 Skirsa Street, Glasgow, G23 5DL (“the Respondent”)**

**Tribunal Members:**

**Gabrielle Miller (Legal Member)**

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

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

- The parties entered into an Assured Shorthold Tenancy Agreement on 16<sup>th</sup> March 2016;
- The term of the tenancy commenced from 16<sup>th</sup> March 2016 for a 12 month period and by tacit relocation thereafter;
- Rent payable in terms of the tenancy was £550 per month payable in advance on the 15<sup>th</sup> day of each month;
- The Respondent had failed to pay in full rent due in December 2017, January 2018, January 2018, February 2018 and March 2018;
- The Respondent had previously fallen into rent arrears of approximately £1200. This amount was cleared by the Respondent’s parents;
- The Respondent had Housing Benefits paid directly to her. There are no known issues with her Housing Benefit;
- As at 10<sup>th</sup> May 2018 the arrears of rent due by the Respondent to the Applicant were £2300;
- The tenancy was terminated by mutual consent. The Respondent left the tenancy on 16<sup>th</sup> March 2018;

- The Applicant is entitled to a decision in terms of which the Respondent is ordered to pay to the Applicant the sum of £2,300 and, having been asked by the Applicant's representative to do so, the Tribunal made a decision in favour of the Applicant to that effect.

### 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.

G Miller

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Legal Member/Chair

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Date

10 May 18