

Housing and Property Chamber
First-tier Tribunal for Scotland



Statement of Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 18 of the Housing (Scotland) Act 1988

Chamber Ref: FTS/HPC/CV/17/0558

Re: Property at 304 Millcroft Road, Cumbernauld, G67 2QN ("the Property")

Parties:

Europe & Jersey Estates Ltd, 30 East Main Street, Darvel, KA17 0HP ("the Applicant")

Ms Annie Stevenson, 304 Millcroft Road, Cumbernauld, G67 2QN ("the Respondent")

Tribunal Members:

Lesley-Ann Mulholland (Legal Member)

Decision

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

- The Applicant is Europe & Jersey Estates Ltd. The Respondent is Ms Annie Stevenson. This matter before me is an application for an order for payment in the sum of £1487.79
- On 23 January 2018 Sheriff Officers served the Respondent with notice of the case management hearing assigned for 26 February 2018. In that notice, the tenant was invited to make any written representations by 9 February 2018. No response has been received.
- The Applicant's Representative, Mr Johnston appeared on behalf of Europe & Jersey Estates Ltd. The Respondent failed to appear without excuse.
- Having considered the application and all other relevant papers, and having considered Mr Johnston's oral evidence today, I find as follows:
- The Applicant and the Tenant entered into a rental agreement whereby the tenant is liable for the payment of rent in the sum of £525 per calendar month

for the property at 304 Millcroft Road, Cumbernauld, G62 2QN. The tenant was entitled to Housing Benefit which was insufficient to meet the rent liability in full from 22 January 2015 to 3 May 2015. The tenant failed to meet the shortfall. Accordingly, the tenant has arrears in the sum of £1487.79.

- The Applicant has not taken any steps to make payment of the arrears or any part of the arrears since 22 January 2015. Accordingly I grant an order for payment against the Respondent in the sum of £1487.79.

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.

Where such an appeal is made, the effect of the decision and of any order is suspended until the appeal is abandoned or finally determined by the Upper Tribunal, and where the appeal is abandoned or finally determined by upholding the decision, the decision and any order will be treated as having effect from the day on which the appeal is abandoned or so determined.

Lesley-Ann Mulholland


Legal Member/Chair

26.02.2018
Date