



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 of the Private Housing (Tenancies) (Scotland) Act 2016**

**Chamber Ref: FTS/HPC/CV/22/1793**

**Re: Property at 11A Thomson Street, Strathaven, ML10 6JZ (“the Property”)**

**Parties:**

**Ms Gillian Banford, 18 Dunavon Crescent, Strathaven, ML10 6HB (“the Applicant”)**

**Mr Daniel McKnight, 46 Landemer Drive, Rutherglen, G73 2TB (“the Respondent”)**

**Tribunal Members:**

**Nairn Young (Legal Member)**

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

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

- Background

This is an application for an order for payment of rent arrears alleged to be owed by the Respondent to the Applicant in terms of his private residential tenancy at the Property. It called for a case management discussion (‘CMD’) at 10am on 29 November 2022, by teleconference. The Applicant called into the conference in person. The Respondent did not call in and was not represented on the call. The commencement of the CMD was delayed for a period of 10 minutes to allow for any technical difficulty he may have been experiencing, however there was no contact from him.

The application was served on the Respondent by sheriff officers on 20 October 2022. The Tribunal was satisfied that the Respondent was aware of the CMD, but had chosen not to attend and that it was therefore fair to proceed in his absence.

- Findings in Fact

1. The Applicant lets the Property to the Respondent in terms of a private residential tenancy with a start date of 29 June 2018.
2. In terms of the tenancy agreement rent of £375 is payable on the 29<sup>th</sup> day of each month.
3. By agreement between the parties, the payment date was changed to the first day of each month.
4. On 1 June, 2 July, 29 July, 27 August, 8 December 2021, 1 March and 31 March 2022, the Respondent paid £250, £375, £400, £400, £375, £250 and £260, respectively.
5. The Respondent has not paid any other rent since 1 June 2021.
6. As of 1 September 2022, the Respondent owed £2,190 in rent arrears.

- Reasons for Decision

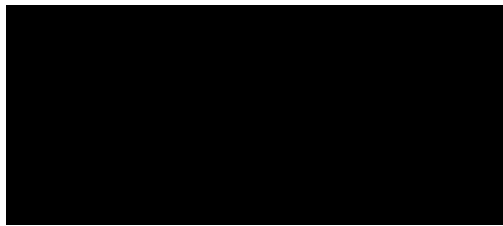
7. The Respondent owes the Applicant the amount sought (as amended) and an order for payment of that amount should be made.

- Decision

Order made for payment by the Respondent to the Applicant of the sum of £2,190 (TWO THOUSAND, ONE HUNDRED AND NINETY POUNDS 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.**



**Legal Member/Chair**

**29/11/2022**

**Date**