



**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/20/0269

**Re: Property at 21 Larchbank, Livingston, West Lothian, EH54 6ED (“the
Property”)**

Parties:

**Mr Fraser McQueen, Mrs Margaret McQueen, 9 Kaims Grove, Livingston Village,
Livingston, West Lothian, EH54 7DU (“the Applicants”)**

**Ms Lisa Thom, 3 Hopefield Road, Blackburn, West Lothian, EH47 7HZ (“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 Applicants in terms of an assured tenancy. It called for a case management discussion by teleconference at 10am on 21 July 2020. The Applicants were both on the line. The Respondent did not phone in and was not represented. A further 10 minutes was allowed for her to join the call, in case of any technical issue. At 10:10am, there being no contact from the Respondent, and the Tribunal being satisfied that the details of the conference had been successfully served on her by recorded delivery on 16 June 2020, the case management discussion proceeded in her absence.

- Findings in Fact

1. The Applicants leased the Property to the Respondent in terms of a short assured tenancy agreement, executed on 6 November 2015.
 2. In terms of that agreement, the Respondent's tenancy commenced on 21 November 2015.
 3. Also in terms of the agreement, the Respondent was required to pay the Applicants £850 rent on 21 November 2015 and on the 21st day of each month of the tenancy thereafter. In addition, she paid them £850 as a deposit, prior to the commencement of the tenancy.
 4. The tenancy was terminated by mutual consent on 5 July 2019.
 5. The total rent due over the course of the tenancy was £37,400. As of 15 July 2019, the Respondent had paid a total of £29,966.37 in rent to the Applicants. She has not made any payment since that date.
 6. The Applicants have recovered the deposit paid to set against the arrears owed by the Respondent. The total arrears outstanding are therefore £6,583.63, which is the sum sought in this application.
- Reasons for Decision
7. The amount sought being owed by the Respondent to the Applicants, an order for payment of that amount should be made.
- Decision

Order for payment by the Respondent to the Applicants made in the sum of £6,583.63 (SIX THOUSAND, FIVE HUNDRED AND EIGHTY-THREE POUNDS AND SIXTY-THREE PENCE 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.

N Young

Legal Member/Chair

Date

