



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/20/1095

Re: Property at 17 Smith Street, Dalry, North Ayrshire KA24 5BZ (“the Property”)

Parties:

Mandy Blythe, The Haayzie, Blair Road, Kilwinning KA13 7QH (“the Applicant”)

Mathew Walker and Megan Walker, 17 Smith Street, Dalry, North Ayrshire KA24 5BZ (“the Respondents”)

Tribunal Members:

John McHugh (Legal Member)

Decision (in absence of the Respondents)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Respondents should be ordered to pay the sum of £5042.44 to the Applicant.

Background

The Applicant holds the landlord's interest and the Respondents the tenant's interest in a short assured tenancy dated 4 April 2017.

The Applicant claims that the sum of £5042.44 is currently outstanding by the Respondents to the Applicant in respect of unpaid rent.

The Case Management Discussion

A Case Management Discussion (“CMD”) took place by conference call on 10 August 2020. The Applicant was represented by Shirley Anne Harper of Secure Letting. The Respondents were neither present nor represented. The Tribunal was

satisfied that notification of the hearing had been given to the Respondents. The Respondents have taken no part in any stage of the proceedings.

Findings in Fact

The Applicant holds the landlord's interest and the Respondents the tenant's interest in a short assured tenancy dated 4 April 2017.

The Tenancy Agreement provides that rent is due at the rate of £500 per month.

The obligation to pay rent is joint and several in terms of the Tenancy Agreement.

The sum of £5042.44 is currently outstanding by the Respondents to the Applicant in respect of unpaid rent. The Applicant has produced a schedule detailing the amount outstanding.

Reasons for Decision

The Applicant has established that rent due under the tenancy agreement is unpaid to the extent of £5042.44. No counter argument has been presented and the Tribunal knows of none.

Decision

The Respondents should be ordered to pay to the Applicant the sum of £5042.44.

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.

John McHugh

John McHugh, Legal Member/Chair

10 August 2020

Date