



**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/21/0110

Re: Property at 55 Hammerfield Avenue, Aberdeen, AB10 7FW (“the Property”)

Parties:

Grangeview Limited, 17 Merchiston Avenue, Edinburgh, EH10 4PJ (“the Applicant”)

Mr Neil Lamb, 55 Hammerfield Avenue, Aberdeen, AB10 7FW (“the Respondent”)

Tribunal Members:

Alison Kelly (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment in the amount of £2425.16 should be made.

Background

On 18th January 2021 the Applicants lodged an application at the Tribunal under Rule 111 of the First Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“The Regulations”) seeking payment from the Respondent of arrears of rent.

Lodged with the application were:-

1. The Tenancy Agreement.
2. Rent Statement.
3. Copy emails between the Applicant and Respondent confirming that the Landlord are in fact a limited company rather than the individual named in the Tenancy Agreement.

The application was served by Sheriff Officers on the Respondent on the 3rd February 2021 by depositing in the letter box.

Case Management Discussion

The Case Management Discussion (“CMD”) took place by teleconference on 4th March 2021. The Applicant was represented by Miss Morrison of TC Young, Solicitors. The Respondent did not attend.

Miss Morrison sought an order for payment in the amount of £2425.16. She said that at the time the application was made the rent arrears stood at £3100.15. The Respondent paid the sum of £924.85 on 5th February 2021, and vacated the property on 8th February 2021. There was a pro rata rent charge for that month, bringing the amount outstanding to £2425.16.

Miss Morrison said that the respondent had paid a deposit. The Applicant had reported that damage had been done to the property and a claim would be made on the deposit in that regard.

Findings in Fact

1. The parties entered into a Tenancy Agreement in respect of the property;
2. The rent was £950 per month;
3. The arrears outstanding when the application were raised were £3100.15;
4. The arrears at the date of the CMD were £2425.16.

Reasons for Decision

The outstanding arrears are £2425.16.

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.

Alison Kelly

4th March 2021

Legal Member/Chair

Date

