



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/21/0986

Re: Property at The Bungalow, Glenree, Alyth, Blairgowrie, PH11 8EA (“the Property”)

Parties:

Mr John McIntosh, Rooftops, Glenree, Alyth, Blairgowrie, PH11 8EA (“the Applicant”)

Miss Kayleigh Barrett, Mr Garry Brown, The Bungalow, Glenree, Alyth, Blairgowrie, PH11 8EA (“the Respondents”)

Tribunal Members:

Nairn Young (Legal Member) and Angus Lamont (Ordinary Member)

Decision (in absence of the Respondents)

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

- Background

This is an application for an order for payment in relation to the Respondents’ occupation of the Property in terms of a private residential tenancy agreement with the Applicant. It called for a case management discussion (‘CMD’) at 10am on 14 June 2021 by teleconference. The Applicant was represented on the call by Ms McNicol of McNabs LLP, solicitors. The Respondents did not call in to the conference and were not represented. The commencement of the CMD was delayed by 10 mins to allow for any technical difficulty the Respondents may have been having, but there remained no contact from them.

The application was served by sheriff officers on the Respondents on 14 May 2021. There has been no written response or any other contact with the Tribunal from the Respondents. The Tribunal was satisfied that they were aware of today’s CMD and decided to proceed in their absence.

- Findings in Fact
 1. The Respondents let the Property from the Applicant in terms of a private residential tenancy, with a start date of 1 January 2020.
 2. In terms of that tenancy, rent of £400 per calendar month is payable on the first day of each month.
 3. Since 1 April 2020, the Respondents have paid rent of only £1,200.
 4. As at the date of CMD, the Respondents owed the Applicant £4,800 in rent arrears.
- Reasons for Decision
 5. This application was raised seeking payment of the sum of £4,000. The Respondents owe at least that amount to the Applicant and an order for payment in those terms should therefore be made.
- Decision

Order made for payment by the Respondents to the Applicant of the sum of £4,000 (FOUR THOUSAND 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.

Nairn Young
Legal Member/Chair

14 June 2021

Date