



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 (1) of the Private Housing (Tenancies) Act 2016

Chamber Ref: FTS/HPC/CV/21/2157

Re: Property at 11 Quarry Drive, Kirkintilloch, G66 3RY (“the Property”)

Parties:

Miss Michelle Wallace, 2-4 Heath Avenue, Lenzie, G66 4LG (“the Applicant”)

Miss Danielle Fyfe, 21 Doon Place, Kirkintilloch, G66 2RB (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal Member)

Decision (in absence of the Respondent)

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

Background

The Applicant seeks a Payment Order in the sum of £258.11 against the Respondent in respect of rent arrears said to have been accrued by the Respondent whilst a tenant of the Applicant’s at the Property. The Application is accompanied by a copy of the Tenancy Agreement and a rent statement setting out how the sum claimed has been arrived at.

The Case Management Discussion

The Application called for a Case Management Discussion (CMD) by conference call at 2pm on 30 November 2021. The Applicant was represented by Ms Miller of Coda

Estates. There was no appearance by or on behalf of the Respondent. The Application and information about how to join the conference call had been served on the Respondent by Sheriff Officers on 26 October 2021. The Tribunal therefore decided to proceed in the absence of the Respondent. Having heard from Ms Miller and considered the Application and documentation supplied the Tribunal made the following findings in fact.

Findings in Fact

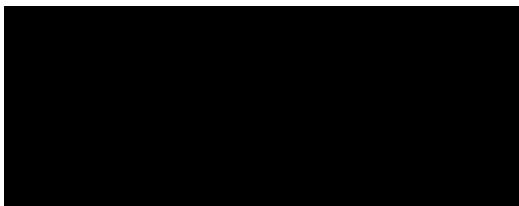
- I. The parties entered into a tenancy at the Property which commenced on 30 April 2019;*
- II. The Applicant was the landlord and the Respondent was the tenant;*
- III. The contractual monthly rent due was £850.00;*
- IV. The Respondent fell into rent arrears and subsequently left the Property with arrears of £258.11 lawfully due to the Applicant but unpaid.*

Reasons for Decision

Having made the above findings in fact, the Tribunal decided to grant the Application and made a Payment Order against the Respondent in the sum of £258.11. No award of interest was sought.

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

30 November 2021

Date