



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/21/2190

Re: Property at 26 Dover Heights, Dunfermline, KY11 8HS (“the Property”)

Parties:

Mr Stephen O'Donoghue, Mrs Sheila Mair, Devonshire Cottage, Yeovil Road, East Coker, Somerset, BA22 9HS (“the Applicants”)

Mr Barrie Sharp, 26 Dover Heights, Dunfermline, KY11 8HS (“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 due to the Applicants from the Respondent in terms of his private residential tenancy at the Property. It called for case management discussion (‘CMD’) at 2pm on 7 December 2021, by teleconference. The Applicants were represented on the call by Mrs Linda Kettles of Morgans. The Respondent did not call in to the conference and was not represented.

The commencement of the CMD was delayed by 10 mins to allow for any technical difficulty the Respondent may have been experiencing, but there was no contact from him. Notification of the date and time of the CMD was sent to the Respondent

by the Tribunal on 1 November 2021. The Tribunal was satisfied that he had therefore chosen not to attend and that it was fair to continue in his absence.

- Findings in Fact

1. The Respondent lets the Property from the Applicants in terms of a private residential tenancy with a start date of 8 March 2019.
2. In terms of the tenancy agreement, rent of £595 is payable on the 8th day of each month.
3. The Respondent has fallen into arrears, to the extent that he owed £4,760 in rent as of the date of this application (8 September 2021).
4. The Respondent has made no payment to the Applicants since the application was raised.

- Reasons for Decision

5. The Respondent owes the Applicants the sum sought in the application, so an order for payment of that amount should be made.

- Decision

Order made for payment by the Respondent to the Applicants of the sum of £4,760 (FOUR THOUSAND, SEVEN HUNDRED AND SIXTY 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.

N. Y.

07/12/2021

Legal Member/Chair

Date