



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber)**

Chamber Ref: FTS/HPC/CV/22/0122

Re: Property at Flat 8, 24 Kensington Gate, Glasgow, G12 9LQ (“the Property”)

Parties:

John Perdikou t/a Perdico Homes, 11 Athole Gardens, Glasgow, G12 9AZ (“the Applicant”)

Ms Rianna Safdar, UNKNOWN, UNKNOWN (“the Respondent”)

Tribunal Members: Virgil Crawford (Legal Member)

Decision (in absence of the Respondent)

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

BACKGROUND

1. By Lease dated 20th September 2008 the Applicant let the Property to the Respondents;
2. The rent payable was originally £480.00 per calendar month payable in advance. Originally the Applicant paid Council Tax in relation to the Property. During 2011, however, an agreement was reached with the Respondent that the Respondent would make payment of Council Tax in relation to the Property and the monthly rent was reduced to £457.00 to take account of the change;
3. The start date of the tenancy was 30th September 2008. The tenancy ended during January 2022 when the Respondent vacated the Property without providing any notice;
4. The Respondent stopped making rental payments during April 2020. As at the 31st December 2021 the rent arrears amounted to £9,430.06. The

Applicant has restricted his claim for rent arrears to that date despite the Respondent remaining in the Property for a period of time thereafter;

THE CASE MANAGEMENT DISCUSSION

5. The Applicant participated in the Case Management Discussion. The Respondent did not. The Tribunal was previously unable to serve the proceedings upon the Respondent by Sheriff Officers. The Tribunal subsequently advertised the proceedings on the Tribunal website. The Tribunal was in receipt of a Certificate of Advertisement confirming that the Respondent had been given lawful notice of the proceedings. In the circumstances the Tribunal was satisfied, in terms of Rule 24 of the First Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 that the Respondent had received intimation of the date and time of the Case Management Discussion and considered that it was appropriate to proceed with the Case Management Discussion in the absence of the Respondent in accordance with Rule 29 of said Rules;
6. The Applicant confirmed that, as at the date of the Case Management Discussion no further payments had been received from the Respondent and the arrears of rent still amounted to at least £9,430.06. The Applicant moved the Tribunal to grant a payment Order in that amount and the Tribunal agreed to do so;

FINDINGS IN FACT

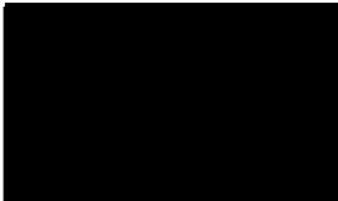
7. The Tribunal found the following facts to be established;
 - a) By Lease dated 20th September 2008 the Applicant let the Property to the Respondents;
 - b) The rent payable was originally £480.00 per calendar month payable in advance. During 2011 the monthly rent was reduced to £457.00;
 - c) The start date of the tenancy was 30th September 2008. The tenancy ended on during January 2022 when the Respondent vacated the Property without providing any notice;
 - d) The Respondent stopped making rental payments during April 2020. As at the 31st December 2021 the rent arrears amounted to not less than £9,430.06;
 - e) As at 6th May 2022 (the date of the Case Management Discussion) an amount in the sum of £9,430.06 is due, resting and owing by the Respondent to the Applicant.

DECISION

The Tribunal grants an Order for payment in the sum of NINE THOUSAND FOUR HUNDRED AND THIRTY POUNDS AND SIX PENCE (£9430.06) STERLING by the Respondent to the Applicant.

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.



6th May 2022

Legal Member/Chair

Date