



**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/22/3051

Re: Property at 24 TR Park Avenue, Dundee, DD4 6LU (“the Property”)

Parties:

Ms Sharon Hutcheon, 22 Somerset Close, Derby, DE22 3XP (“the Applicant”)

**Mr Martin Donaldson, 22 1/L Morgan Street, Dundee, DD4 6QF (“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 should be made.**

Background

The Applicant lodged an application on 24th August 2022 under Rule 111 of the First Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”) seeking payment of a sum of rent arrears.

Lodged with the Application were:

1. Copy Short Assured Tenancy commencing 28th April 2017 with a monthly rent of £420
2. Rent Statement
3. Sheriff Officer’s email regarding tracing the Respondent

The Application was served on the Respondent by Sheriff Officer on 16th November 2022.

Case Management Discussion

The Case Management Discussion (“CMD”) took place by teleconference. The Applicant was represented by Hazel Young of Rockford Properties. The Respondent did not attend and was not represented.

The Chairperson confirmed the purposes of a CMD in terms of Rule 17 of the Rules.

Miss Young advised that the tenancy had come to an end on 27th July 2018 and that the rent arrears at that date were £5910 as per the rent statement. The deposit of £495 was recovered and had now been applied to the rent account, and she was seeking a payment order in the amount of £5415.

Findings in Fact

1. The parties entered in to a tenancy agreement for rent of the property;
2. The monthly rent was £420;
3. The tenancy ended on 27th July 2018;
4. At that date the rent arrears owed were £5910;
5. The Applicant recovered the deposit;
6. The sum outstanding is £5415.

Reasons for Decision

The Respondent owes rent to the Applicant as at 27th July 2018 in the amount of £5415.

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

15/12/2022

Legal Member/Chair

Date