



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) (Scotland) Act 2016 (“The Act”)

Chamber Ref: FTS/HPC/CV/22/3353

Re: Property at 34 St Clair Street, Aberdeen, AB24 5AJ (“the Property”)

Parties:

Ms Claire Johnston, 12 Eday Court, Aberdeen, AB15 6WG (“the Applicant”)

Piper Cult, 34 St Clair Street, Aberdeen, AB24 5AJ (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal Member) and Helen Barclay (Ordinary Member)

The Tribunal decided to grant the Application and made a Payment Order in favour of the Applicant against the Respondent in the sum of £1,901.20.

Background

The Applicant seeks a Payment Order in the sum of £1,901.20 in respect of rent arrears said to have been accrued by the Respondent under a tenancy between the parties. The Application is accompanied by a copy of the tenancy agreement between the parties and rent statements.

The Case Management Discussion

The Application called for a Case Management Discussion (CMD) by conference call at 10 am on 14 December 2022. The Application called alongside a related Application in respect of an Eviction Order for rent arrears between the parties. The Applicant was in attendance alongside Ms Fenton as her Representative. There was no appearance by or on behalf of the Respondent. The Application and information about how to join the

conference call had been competently served on the Respondent by Sheriff Officers and so the Tribunal decided to proceed in the Respondent's absence.

Having considered the Application and having heard from Ms Fenton, the Tribunal made the following findings in fact.

Findings in Fact

- I. The Applicant let the Property to the Respondent on a Private Residential Tenancy which commenced on 12 March 2021;*
- II. The contractual monthly rent was £400.00;*
- III. The Respondent fell into rent arrears;*
- IV. The sum sought in the Application of £1,901.20 remains lawfully due by the Respondent to the Applicant as at today's date yet remains unpaid.*

Reasons for Decision

Having made the above findings in fact, the Tribunal decided to grant the Application and made a Payment Order in the sum of £1,901.20.

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.

Andrew McLaughlin

Legal Member/Chair

14 December 2022

Date

