



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 14 of the Housing (Scotland)
Act 2014**

Chamber Ref: FTS/HPC/CV/22/3826

**Re: Property at Flat 3/1, 27 Silverbanks Road, Glasgow, G72 7FJ (“the
Property”)**

Parties:

**Mr Charles John Dyke, 64 Clover Drive, Rushden, Northamptonshire, NN10
0UH (“the Applicant”)**

**Miss Debra Donnelly, Flat 3/1, 27 Silverbanks Road, Glasgow, G72 7FJ (“the
Respondent”)**

Tribunal Members:

Mark Thorley (Legal Member) and Gerard Darroch (Ordinary Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that an order of payment by the respondent to the
applicant of the sum £2446.20 (Two Thousand Four Hundred and Forty Six
Pounds and Twenty Pence) be made.**

Background

1. The applicant applied to the First Tier Tribunal for Scotland (Housing and Property Chamber) (‘the tribunal’) by application dated 17 October 2022.
2. Accompanying the application were the following documents:
 - (a) Tenancy Agreement
 - (b) Rent Statement

3. The application was received by the tribunal on 19 October 2022. Certain further information was sought by the tribunal. Thereafter the application was accepted for determination on 19 December 2022.
4. The application was served by sheriff officers 10 January 2023.
5. The respondent has not provided any written representations.

Case Management Discussion

1. At the case management discussion Ms Donnelly solicitor from TC Young appeared for the applicant.
2. There was no appearance by or for the respondent. Ms Donnelly was able to advise the court that arrears of rent had now come down to the sum of £2,446.20. Historically rent was paid by way of housing benefit. The issue was that the housing benefit did not cover the whole amount of the rent. There was always a shortfall. The respondent dating back to the outset of the tenancy never paid this. Accordingly arrears accrued. There were then periods of suspension of housing benefit then housing benefit was restarted.
3. At the time the application was lodged arrears were £3,138.60. They had reduced. There was a full rent statement showing all payments that had been made.

Findings in Fact

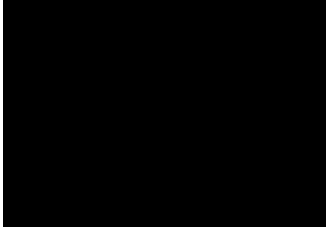
1. The parties entered into a Tenancy Agreement for the rental of the property at Flat 3/1, 27 Silverbanks Road, Glasgow G72 7FJ on 7 September 2007.
2. Rent was due to paid at the rate of £450 per month.
3. At 23 February 2023 the amount outstanding was £2,446.20.

Decision

To make an order for payment by the respondent to the applicant of the sum of £2,446.20 together with interest at 4% per annum from the date of the order until payment.

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.



23 February 2023

Legal Member/Chair

Date