



**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/22/3932

**Re: Property at 20E Inchinnan Court, Inchinnan Road, Paisley, PA3 2RA (“the
Property”)**

Parties:

**Piranha Capital, C/o Best 2 Let, Flat 4/2, 826 Maryhill Road, Glasgow (“the
Applicant”)**

**Mr Duncan Livingston, 20E Inchinnan Court, Inchinnan Road, Paisley, PA3
2RA (“the Respondent”)**

Tribunal Members:

Andrew McLaughlin (Legal Member) and Ahsan Khan (Ordinary Member)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”)
decided to grant the Application and made a Payment Order against the Respondent in
the sum of £3,072.85.**

Background

The Applicant seeks a Payment Order for £3,072.85 for 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 relevant Short Assured Tenancy and evidence of the rent arrears founded upon.

The Case Management Discussion

The Application called for a Case Management Discussion (CMD) by conference call at 10 am on 8 February 2023. The CMD called alongside a related Application in respect of an Eviction Order between the parties. The Applicant was represented by Ms Sylvie

Holubova of Best 2 let. There was no appearance by or on behalf of the Respondent. On the basis that the Application and information about how to join the conference call had been competently served on the Respondent by Sheriff Officers, the Tribunal decided to proceed in the absence of the Respondent. Having considered the Application and having heard from Ms Holubova, the Tribunal made the following findings in fact.

Findings in Fact

- I. The Applicant let the Property to the Respondent on a Short-Assured Tenancy that commenced on 10 November 2016;*
- II. The contractual monthly rent was £375.00;*
- III. The Respondent fell into rent arrears;*
- IV. No rent has been received since March 2022 and the arrears are currently in the sum of £4,625.81;*
- V. The sum sought in the Application of £3,072.85 is lawfully owed as rent arrears to the Applicant by the Respondent but remains unpaid.*

Reasons for Decision

Having made the above findings in fact, the Tribunal decided to grant the Application and made the Payment Order as sought in the Application.

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

8 February 2023
Date

