



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

Chamber Ref: FTS/HPC/CV/23/0852

Re: Property at 12 The Hill, Thornhill, Stirling, FK8 3PT (“the Property”)

Parties:

Mrs Ruth Robertson, Donnachaidh, Thornhill, Stirling, FK8 3QX (“the Applicant”)

Mr Thomas Stewart, 11 Montgomery Place, Buchlyvie, Stirlingshire, FK8 3NF (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) decided to grant the Application and made a Payment Order in favour of the Applicant against the Respondent in the sum of £4,850.00.

Background

The Applicant seeks a Payment Order in respect of arrears of rent said to be lawfully due for payment under a tenancy between the parties. The Application is accompanied by a copy of the tenancy agreement and rent statements.

The Case Management Discussion

The Application called for a Case Management Discussion (CMD) by conference call at 11.30 am on 31 July 2023. The Applicant was personally present. The Respondent was neither present nor represented. The Application and information about how to join the CMD had been served on the Respondent by Sheriff Officers. The Tribunal therefore decided to proceed in the absence of Respondent. Having considered the Application and having heard from the Applicant, the Tribunal made the following findings in fact.

Findings in Fact

- I. *The parties entered into a tenancy agreement whereby the Applicant let the Property to the Respondent on a Private Residential Tenancy;*
- II. *The Respondent fell into rent arrears and the sum claimed of £4,850.00 is lawfully due as arrears of rent by the Respondent to the Applicant but 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 favour of the Applicant against the Respondent in the sum of £4,850.00.

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

31 July 2023

Date