



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland  
(Housing and Property Chamber) under Section 70(1) of the Private Housing  
(Tenancies) (Scotland) Act 2016**

**Chamber Ref: FTS/HPC/CV/21/3048**

**Re: Property at Hillview Steading, Whitecairns, Aberdeen, AB23 8UH (“the  
Property”)**

**Parties:**

**Mr Scott Glatley, Mrs Claire Glatley, c/o 7 Albert Street, Aberdeen, AB25 1XX  
 (“the Applicants”)**

**Mr Greg Reid, Hillview Steadings, Whitecairns, Aberdeen, AB23 8UH (“the  
Respondent”)**

**Tribunal Members:**

**Ruth O'Hare (Legal Member) and Elizabeth Williams (Ordinary Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the  
Tribunal”) determined to make an order in the sum of Thirteen thousand six  
hundred and fifty pounds (£13,650) Sterling**

**Background**

- 1 By application to the Tribunal the Applicants sought an order for payment of outstanding rent arrears against the Respondent in the sum of £13,650. In support of the application the Applicants submitted copy Tenancy Agreement between the parties and rent statement.
- 2 By Notice of Acceptance of Application the Legal Member with delegated powers of the Chamber President intimated that there were no grounds on which to reject the application. A Case Management Discussion was therefore assigned for the 1 March 2022 to take place by teleconference due to the restrictions imposed by the Covid-19 pandemic. A copy of the application paperwork together with notification of the date and time of the Case

Management Discussion and instructions on how to join the teleconference was intimated to the Respondent by Sheriff Officers.

### **Case Management Discussions**

- 3 The Case Management Discussion took place by teleconference on 1 March 2022. The Applicant was represented by Gareth Winchester, Winchester Lettings, who was accompanied by Douglas Winchester as a supporter. The Respondent was present.
- 4 The Legal Member explained the purpose of the Case Management Discussion. The Tribunal then proceeded to hear from both parties. Mr Winchester confirmed that the arrears had increased to the sum of £16,950. If possible, the Applicant sought payment in that sum. The arrears continued to increase due to a lack of payments.
- 5 The Respondent explained that he did not dispute the position put forward by the Applicant. He was seeking employment and was prepared to enter into a payment plan with the Applicant. He would be able to make increased payments once his income improved. He explained that he had lost his job in July 2020 and this had impacted on his ability to maintain the rental payments for the property. However he was not disputing that the amount was due.

### **Findings in Fact and Law**

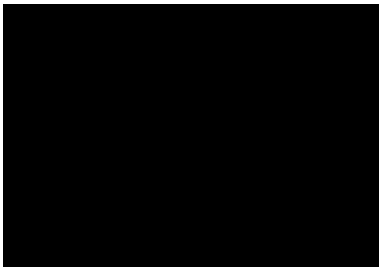
- 6 The Applicants entered into a Short Assured Tenancy Agreement with the Respondent and Louise Hough which commenced on 29 April 2017.
- 7 The Respondent became the sole tenant of the property on 2 May 2018 when Louise Hough's interest in the tenancy was terminated.
- 8 In terms of the said Tenancy Agreement the Respondent undertook to make payment of rent at the rate of £1100 per calendar month.
- 9 As at the date the application was lodged arrears in the sum of £13,650 were outstanding.
- 10 As at the date of the Case Management Discussion arrears in the sum of £16,950 were outstanding.
- 11 The Respondent is liable to make payment to the Applicant in the sum of £13,650.

## **Reasons for Decision**

- 12 The Tribunal was satisfied at the Case Management Discussion that it had sufficient information upon which to make a decision and that to do so would not be prejudicial to the interests of the parties. There did not appear to be any facts in dispute between the parties which would require the Tribunal to fix a hearing in the matter.
- 13 The Tribunal was satisfied, having considered the terms of the tenancy agreement and the rent statement lodged with the application, that the Respondent was liable to pay the sum of £13,650 to the Applicants. The Tribunal was not persuaded that it could make an award in the increased sum of £16,950 on the basis that no formal request for amendment had been made with the necessary supporting evidence. The Applicants would be entitled to make a further application to the Tribunal in the event that they wished to seek the outstanding balance.
- 14 Accordingly the Tribunal made an order for payment in the sum of £13,650.

## **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.**



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**Legal Member/Chair**

**1<sup>st</sup> March 2022**

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**Date**