



**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/22/3212**

**Re: Property at 7 Selvieland Road, Glasgow, G52 4AP (“the Property”)**

**Parties:**

**Mrs Angela Elmes, 11 Calside Avenue, Paisley, PA2 6DD (“the Applicant”)**

**Miss Katie Lee, 7 Selvieland Road, Glasgow, G52 4AP (“the Respondent”)**

**Tribunal Members:**

**Andrew McLaughlin (Legal Member) and Mary Lyden (Ordinary Member)**

**Decision**

**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 £1,896.78.**

**Background**

The Applicant seeks a Payment Order 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 tenancy agreement between the parties and rent statements. The Application was opposed by the Respondent on the basis that the precise sums due were not accepted.

A Case Management Discussion took place on 21 December 2023 and case management orders were made in the form of Directions regulating further procedure. A Hearing was then assigned.

## **The Hearing**

The Application called for a Hearing by conference call at 10 am on 14 March 2023. The Applicant was present together with her solicitor Ms Bruce of Complete Clarity Solicitors. The Respondent was present. There was a delay in the Respondent's solicitor attending. The Tribunal adjourned and recommenced with Ms Simpson of Govan Law Centre also in attendance as the Respondent's representative. Parties explained that the matter had been resolved and the Tribunal was now asked to grant the Payment Order in the agreed sum of £1,896.78. No award of interest was sought.

Having heard from parties and considered the Application, the Tribunal makes 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 by virtue of a Private Residential Tenancy that commenced on 10 January 2019;*
- II. *The contractual monthly rent was £650.00;*
- III. *The Respondent fell into rent arrears and at today's date the sum of £1,896.78 is lawfully due as rent by the Respondent to the Applicant but remains unpaid.*

## **Decision**

Having made the above findings in fact, the Tribunal granted the Application and made a Payment Order in favour of the Applicant against the Respondent in the sum of £1,896.78.

## **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

14 March 2023

Date