



**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 (Act)**

**Chamber Ref: FTS/HPC/CV/19/3958**

**Re: Property at 71 Aros Drive, Glasgow, G52 1TN (“the Property”)**

**Parties:**

**Miss Sarah Barron, 2/7 Tay Street, Edinburgh, EH11 1EA (“the Applicant”)**

**Mr Lee Ewens, Ms Rachael McIlvride, Unknown, Unknown (“the Respondent”)**

**Tribunal Member:**

**Alan Strain (Legal Member)**

**Decision (in absence of the Respondent)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the order for payment be granted in the sum of £2,428.00.**

**Background**

This is an application under Rule 111 and section 71(1) of the Act in respect of alleged rent arrears during the tenancy of the Property.

The Tribunal had regard to the following documents:

1. Application received 13 December 2019;
2. Private Residential Tenancy Agreement (**PRTA**) commencing 26 June 2018;
3. Demands for payment issued in respect of rent arrears;
4. Bank Statements showing payments made and months not made;
5. Certificate of Service of Tribunal CMD Notification by Advertisement on the Respondent dated 30 June 2020.

**Case Management Discussion (CMD)**

The case called for a CMD by conference call on 12 August 2020. The Applicant participated and was unrepresented. The Respondent did not participate and was not represented.

The Tribunal delayed the start of the CMD to see if the Respondent would participate. The Respondent did not.

The Tribunal were satisfied that the Respondent had received notification of the Case Management Discussion and that the Tribunal could determine the matter if it considered it had sufficient information to do so and the procedure was fair. The notification also advised the Respondent that they must attend and the Tribunal could determine the matter in absence if they did not.

The Applicant invited the Tribunal to grant the application and the order sought.

The Tribunal then considered the documentary evidence it had received from the Applicant and in so far as material made the following findings in fact:

1. The Parties let the subjects under a PRTA commencing 26 June 2018;
2. The monthly rent was £465.00;
3. The Respondent was £2,428 in arrears of rent when the PRTA terminated on 16 February 2019.

The Tribunal considered that it had sufficient information to determine the matter at this stage and the procedure was fair.

The Tribunal was satisfied that the arrears had been established and accordingly granted the application for payment in the sum of £2,428.

### **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.**

A Strain

12 August 2020

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**Legal Member/Chair**

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**Date**