



**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/21/0259

**Re: Property at Flat 2-3, 34 Peninver Drive, Linthouse, Glasgow, G51 4JS (“the
Property”)**

Parties:

**Mr Grant David Gowdy, c/o Martin and CO West End, 172 Woodlands Road,
Glasgow, G3 6LL (“the Applicant”)**

**Miss Marie Barton, Flat 2-3, 34 Peninver Drive, Linthouse, Glasgow, G51 4JS
 (“the Respondent”)**

Tribunal Members:

Andrew Upton (Legal Member) and Gerard Darroch (Ordinary Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that the Respondent is liable to make payment to the
Applicant in the sum of EIGHT THOUSAND NINE HUNDRED AND EIGHTEEN
POUNDS AND SEVENTEEN PENCE (£8,918.17) STERLING with interest thereon
at the rate of three per centum per annum from 25 March 2021 until payment**

STATEMENT OF REASONS

1. This application called for its Case Management Discussion by teleconference call on 25 March 2021 together with the related application EV/21/0285. The Applicant was represented by Ms Matheson, solicitor. The Respondent was neither present nor represented.
2. In this application, the Applicant seeks payment from the Respondent in respect of rent arrears. By email dated 11 March 2021, the Applicant sought to amend the application by increasing the sum sought to £8,918.17. That request was accompanied by an updated rent arrears schedule.

3. The Respondent has been afforded an opportunity to oppose this application and dispute the arrears. She has not taken up that opportunity. In the circumstances, the Tribunal is satisfied that the Applicant's entitlement to payment of the sum claimed is not in dispute. The Tribunal accordingly granted the order for payment of the sum of £8,918.17.
4. The Applicant also seeks an award of interest on the sum claimed for. The Tribunal has the power to award interest at a rate ordered by the Tribunal in terms of Rule 41A of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017.
5. Ms Matheson submitted that a reasonable rate of interest would be 3%. She said that this sum would fairly reflect the most that the Applicant could hope to achieve in terms of investment return if he had access to the sums due now. The Tribunal was satisfied that it was reasonable to award interest on the payment order at the rate of 3% from the date the order was granted until payment.

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 Upton

25/03/2021

Legal Member/Chair

Date