



**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/20/2515

**Re: Property at 144 Lady Campbells Court, Dunfermline, KY12 0LE (“the
Property”)**

Parties:

Northwood Dundee, 2 Panmure Street, Dundee, DD1 2BW (“the Applicant”)

**Mr Declan Johnson, 144 Lady Campbells Court, Dunfermline, KY12 0LE (“the
Respondent”)**

Tribunal Members:

Andrew Upton (Legal 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 SIX THOUSAND NINE HUNDRED AND SEVENTY
THREE POUNDS AND SEVENTY THREE PENCE (£6,973.73) STERLING**

STATEMENT OF REASONS

1. This Application called for its Case Management Discussion on 25 February 2021 by teleconference call. The Applicants were represented by Mr Runciman, solicitor. The Respondents were neither present nor represented on the call.
2. On 9 February 2021, the Applicants sought permission to amend their claim from £6,000 to £6,973.73. The said application to amend was made timeously in terms of the Tribunal Rules of Procedure and the Tribunal granted the application to amend. The Applicants now seek payment of the total sum of £6,973.73. That sum is comprised of two elements: (i) rent arrears of £6,739.73; and (ii) legal costs in the sum of £234.

3. In support of their Application, the Applicants produced a copy of the Private Residential Tenancy Agreement between the parties. In terms thereof, the Respondents were under contractual obligation to pay rent of £750 per calendar month (Clause 8), and to recover the reasonable costs incurred in the pursuit of late rent (Clause 9). The Applicants have produced an updated rent schedule which suggested that rent was outstanding at lease expiry, being the sum of £6,739.73. The Applicants also produced an invoice vouching the costs of pursuing late payment of rent as being the sum of £234.
4. The Respondents have been afforded an opportunity to dispute the Applicants' assertions in the Tenancy Agreement. They have not done so. I therefore consider that the Applicants' assertions are not in dispute. I am therefore satisfied that the Respondents are in rent arrears of £6,739.73 and that the Applicants have incurred costs in the sum of £234 seeking to recover the rent arrears.
5. Accordingly, I am satisfied that the Respondents are liable to make payment to the Applicants in the total sum of £6,973.73, being £6,739.73 in rent arrears and £234 in costs.

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.

25/02/21

Legal Member/Chair

Date