

Housing and Property Chamber
First-tier Tribunal for Scotland



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 and Rule 70 of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017

Chamber Ref: FTS/HPC/CV/18/1022

Re: Property at 109 Norman Rise, Livingston, EH54 6LZ (“the Property”)

Parties:

Brian Stewart and John Hume, c/o and represented by BS Properties, 23 South Tay Street, Dundee, DD1 1NR (“the Applicant”)

Miss Leanne Harlow, 109 Norman Rise, Livingston, EH54 6LZ (“the Respondent”)

Tribunal Members:

George Clark (Legal Member) and Helen Barclay (Ordinary Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment by the Respondent to the Applicant of the sum of £1,950 should be made.

Background

By application received by the Tribunal on 27 April 2018, the Applicant sought an order for payment of £1,950 in respect of unpaid rent for the Property.

The application was accompanied by a rent statement showing arrears of rent as at 20 April 2018 of £1,950. The Respondent made no written representations to the Tribunal.

The Hearing

A hearing was held at George House, 126 George Street, Edinburgh EH2 4HH on the morning of 13 September 2018. The Applicant was represented at the hearing by

Amber-Louise Mill of BS Properties, 23 South Tay Street, Dundee DD1 1NR. The Respondent was neither present nor represented at the hearing.

The Applicant's representative told the Tribunal that the arrears of rent for the Property now stood at £3,150 and provided a rent statement to that effect, dated 11 September 2018.

Reasons for Decision

The Tribunal noted that it had seen statements of rent showing all payments due and paid from the commencement of the tenancy on 15 November 2016 down to 11 September 2018. The Respondent had not made any written representations or appeared at the Tribunal to challenge the amount sought in the application. Accordingly, the Tribunal was satisfied that the amount sought by the Applicant was lawfully due by the Respondent.

Decision

The Tribunal determined to make an order for payment by the Respondent to the Applicant of the sum sought in the application, namely £1,950.

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.

George Clark

George Clark
Legal Member/Chair

13 September 2018

Date