



**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/23/1481

**Re: Property at 21C Harvard Court, Perth Airport, Scone, Perth, PH2 6PL (“the
Property”)**

Parties:

**Morris Leslie Partnership, Caledonian House, Walnut Grove, West Kinfauns,
PH2 7XZ (“the Applicant”)**

**Mr Stephen Young, 19B Cluney Terrace, Letham, Perth, PH1 2HW (“the
Respondent”)**

Tribunal Members:

George Clark (Legal Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that the application should be decided without a Hearing
and made an Order for Payment by the Respondent to the Applicant of the sum
of £18.898.98.**

Background

1. By application, dated 10 May 2023, the Applicants sought an Order for Payment in respect of unpaid rent and electricity charges that had become lawfully due by the Respondent to the Applicants. The sum sought was £18.898.98, being £17,798.48 in respect of rent and £1,100.50 in respect of electricity charges. The Applicant explained that, until April 2021, electricity was provided via a sub-meter and that in April 2021 a card meter had been fitted. The electricity costs the Applicant sought to recover were, therefore, for the period up to the date of fitting of the card meter. The Respondent had been removed from the Property on 12 January 2023.
2. The application was accompanied by a copy of a Short Assured Tenancy Agreement between the Parties from 29 June 2017 to 29 December 2017

and, if not terminated on that date, continuing on a monthly basis until terminated by either party giving not less than two months' notice to the other party. The rent was £500 per month. The Applicant also provided a Rent Statement and Invoices for electricity charges vouching the sums sought.

3. On 1 August 2023, the Tribunal advised the Parties of the date and time of a Case Management Discussion, and the Respondent was invited to make written representations by 22 August 2023. The Respondent did not make any written representations to the Tribunal.

Case Management Discussion

4. A Case Management Discussion was held by means of a telephone conference call on the morning of 14 November 2023. The Applicant was represented by Miss Nicola Brown of Blackadders LLP, solicitors, Aberdeen. The Respondent was not present or represented.
5. The Applicant's representative told the Tribunal that no payments had been received since the date of the application.

Reasons for Decision

6. Rule 17 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 provides that the Tribunal may do anything at a Case Management Discussion which it may do at a Hearing, including making a Decision. The Tribunal was satisfied that it had before it all the information and documentation it required to enable it to decide the application without a Hearing.
7. The Tribunal was satisfied that the amounts sought had become lawfully due by the Respondent to the Applicant.

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.



Legal Member/Chair

14 November 2023
Date