



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 of the Private Housing (Tenancies) (Scotland) Act 2016

Chamber Ref: FTS/HPC/CV/23/1994

Re: Property at 20 Viewbank Avenue, Airdrie, North Lanarkshire, ML6 9TJ (“the Property”)

Parties:

Mr Gavin Farquhar, Mrs Kerry Farquhar, Drummond Cottage, Cummington, IV30 5XY (“the Applicants”)

Ms Gillian Bradley, 20 Viewbank Avenue, Airdrie, North Lanarkshire, ML6 9TJ (“the Respondent”)

Tribunal Members:

Nairn Young (Legal Member) and Sandra Brydon (Ordinary Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that

- Background

This is an application for an order for payment of rent arrears alleged to be owed by the Respondent in terms of her private residential tenancy agreement with the Applicant. It called for a case management discussion (‘CMD’) at 10am on 16 October 2023, by teleconference. The Applicants were represented on the call by Mrs Linzi Irvine, of Homes for Good (Scotland) CIC. The Respondent was not on the call and was not represented. The commencement of the CMD was delayed by 10 minutes to allow for any technical difficulty she may have been experiencing, but there remained no contact from her.

Notice of the CMD was served on the Respondent by sheriff officers on 7 September 2023. The Tribunal was therefore satisfied that the Respondent was aware of the CMD and had chosen not to attend: and that it was therefore fair to proceed in her absence.

- Findings in Fact

1. The Applicants let the Property to the Respondent in terms of a private residential tenancy with a start date of 8 May 2020.
2. In terms of that agreement, the initial rental charge was £495 per month.
3. The monthly rent was raised to £509.90, by rent-increase notice, from 4 July 2023.
4. At the date this application was raised, the Respondent was in arrears to the sum of £607.81.

- Reasons for Decision

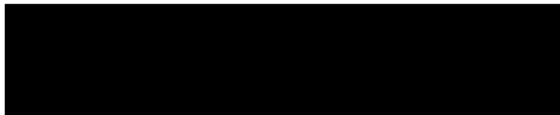
5. The Respondent owes the sum sought to the Applicants and an order for payment of that amount should therefore be made.

- Decision

Order made for payment by the Respondent to the Applicants of the sum of SIX HUNDRED AND SEVEN POUNDS AND EIGHTY-ONE PENCE STERLING (£607.81).

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

Date 16th October 2023