



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71(1) of the Private Housing (Tenancies) (Scotland) Act 2016**

**Chamber Ref: FTS/HPC/CV/23/2398**

**Re: Property at 41 3/1 Causeyside Street, Paisley, PA1 1YL (“the Property”)**

**Parties:**

**Mr Mohammad Ashraf, 24 Glamis Avenue, Elderslie, PA5 9NR (“the Applicant”)**

**Mr Colin Hope, 41 3/1 Causeyside Street, Paisley, PA1 1YL (“the Respondent”)**

**Tribunal Members:**

**Lesley-Anne Mulholland (Legal Member)**

**Decision (in absence of the Respondent)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) granted a Payment Order in the sum of £5,060.00 against the Respondent.**

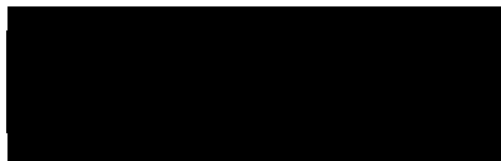
1. This is an application under Rule 111 for a Payment Order.
2. The Applicant is the owner of the property. The Respondent is the tenant. He entered into a tenancy agreement with the Applicant which specified that £400 was due in respect of rent each calendar month, payable in advance.
3. A Case Management Discussion took place at 2pm on 24 November 2023. The hearing preceded remotely by telephone conference. The Applicant’s Representative, Miss Cochrane joined the hearing.
4. The Respondent has failed to engage with the application or make contact with the Housing and Property Chamber in any way. I decided to continue the Discussion in the Respondent’s absence, having regard to the overriding objective and after satisfying myself that all the relevant paperwork had been properly served and that he was notified of today’s hearing. The Respondent

has been notified that the Tribunal can make any decision at a Case Management Discussion that could be made at a hearing.

5. On 1 November 2023 the Applicant has produced an amended schedule showing the rent owed as £5,060.00. Rent arrears began to accrue from September 2021 and are ongoing as the Respondent continues to occupy the property. I understand eviction proceedings are ongoing. Over time, the Respondent has made an agreement to meet the arrears but has failed to maintain this. His last payment was made in July 2023 and before that February 2023. It is clear that the arrears are substantial and have remained over a considerable period of time.
6. The Respondent has not engaged with the Housing and Property Chamber in anyway which means that there is no challenge to the application. The Respondent has not maintained the agreement. The arrears are significant and longstanding.
7. The Respondent has been properly served with a copy of the application, as evidenced by the Certificate of Service by Sheriff Officers. Having considered all the information, individually and in the round, I have decided to make a Payment Order in the sum of £5,060.00.

### **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**

**24 November 2023**

**Date**