

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 71(1) of the Private Housing (Tenancies) (Scotland) Act 2016.

Chamber Ref: FTS/HPC/CV/23/3087

Re: Property at 75 Whittingehame Court, Glasgow, G12 0BH (“the Property”)

Parties:

Mr Patrick O'Dwyer, Mrs Cindy Chew, 29 Westbourne Gardens, Glasgow, G12 9PE (“the Applicant”)

Mr Ross George Denham, 251 Marine Parade, Hunters Quay, Dunoon, PA23 8HJ (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal Member)

Decision

[1] The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) granted the Application and made a Payment Order in the sum of £7,977.10.

Background

[2] The Applicant seeks a Payment Order in the sum of £7,977.10 for rent arrears, interest and expenses due by the Respondent to the Applicants under a tenancy agreement between the parties.

The Case Management Discussion

[3] The Application called for a Case Management Discussion (CMD) by conference call at 2 pm on 16 November 2023. The Applicants were represented by Ms McKendrick of Tay Lettings. The Respondent was neither present nor represented. The Application and information about how to join the CMD had been served on the Respondent by Sheriff Officers. The Tribunal accordingly decided to proceed in the Respondent’s absence.

[4] Having heard from Ms McKendrick, the Tribunal made the following findings in fact.

Findings in Fact

- I. *The parties entered into a tenancy agreement whereby the Applicants let the Property to the Respondent on a Private Residential Tenancy;*
- II. *The Respondent fell into rent arrears of £6,784.87;*
- III. *Under the tenancy, the Applicants are entitled to claim interest in the sum of £652.23 and legal expenses of £540.00;*

IV. *The sum of £7,977.10 is therefore lawfully due by the Respondent to the Applicants but remains unpaid.*

Reasons for Decision

[5] Having made the above findings in fact, the Tribunal therefore granted the Application and made a Payment Order in the sum of £7,977.10.

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

16 November 2023

Date