

**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/23/1856

Property : 3 Wilsgait Street, Motherwell ML1 5PE (“Property”)

Parties:

Stoneville Investment Ltd, 62 Main Street, Rutland LE15 9LT (“Applicant”)

**Clyde Valley Lets c/o 50 Scott Street, Motherwell ML1 1NP (“Applicant’s
Representative”)**

**Nicola Kennedy, formerly of 3 Wilsgait Street, Motherwell ML1 5PE and now of
16 West Place, Newmains ML2 9DN (“Respondent”)**

Tribunal Members:

Joan Devine (Legal Member)

Decision

**The First-tier Tribunal for Scotland (Housing and Property Chamber)
("Tribunal") determined that an order for payment of £431.32.**

Background

The Applicant sought an order for payment of £431.32 in respect of arrears of rent. The Applicant had lodged Form F. The documents produced were: a Tenancy Agreement dated 26 August 2016; a schedule of rent arrears; correspondence between the Parties and certificate of service by Sheriff Officer evidencing service of the Application on the Respondent on 7 November 2023.

Case Management Discussion (“CMD”)

A CMD took place on 14 December 2023 by conference call. In attendance at the CMD for the Applicant was Rhona McCaughey of the Applicant’s Representative. There was no appearance by the Respondent. Ms McCaughey told the Tribunal that the Respondent had vacated the Property in April 2023. She said that the deposit held had been applied against the rent arrears. The Tribunal noted that the application referred to the cost of repairs which were unquantified. Ms McCaughey said that the

Property had now been sold and the Applicant did not intend to pursue any costs for repairs.

Findings in Fact

The Tribunal made the following findings in fact:

1. The Applicant and the Respondent had entered into a tenancy agreement dated 26 August 2016.
2. In terms of the tenancy agreement the rent was £575 per month.
3. The Respondent failed to pay the rent in full for the period 20 September 2021 to 26 April 2023. The unpaid amount was £431.32.
4. The Application was served on the Respondent on 7 November 2023.

Reasons for the Decision

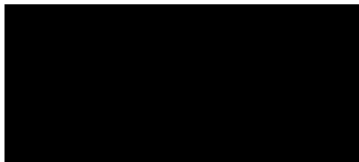
The Tribunal determined to make an Order for payment. In terms of the tenancy agreement rent was due at the rate of £575 per month. The Respondent had failed to pay the rent in full for the period 20 September 2021 to 26 April 2023. The unpaid amount was £431.32.

Decision

The Tribunal grants an order for payment of £431.32.

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

Date: 14 December 2023