



**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/EV/23/2063

**Re: Property at 1-2 36 Luggiebank Road, Kirkintilloch, Glasgow, G66 1LR (“the
Property”)**

Parties:

Mr Mark Phinn, 51 Wades Circle, Inverness, IV2 5JG (“the Applicant”)

**Miss Sharon Knowles, 1-2 36 Luggiebank Road, Kirkintilloch, Glasgow, G66
1LR (“the Respondent”)**

Tribunal Members:

Andrew McLaughlin (Legal Member) and Mary Lyden (Ordinary Member)

Decision (in absence of the Respondent)

**[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 £763.54.**

Background

[2] The Applicant seeks a Payment Order for rent arrears said to have been accrued by the Respondent under a tenancy agreement between the parties. The Application is accompanied by a copy of the tenancy agreement and a rent statement. The Applicant had competently amended the sum now claimed to the figure of £763.54 in advance of the Case Management Discussion.

The Case Management Discussion

[3] The Application called for a Case Management Discussion (CMD) by conference call at 10 am on 30 November 2023. The Applicant was represented by Ms Cook of Coda Estates. There was no appearance by or on behalf of the Respondent. The Application and information about how to join the conference call had been served on the Respondent by Sheriff Officers. The Tribunal therefore decided to proceed in the absence of the Respondents. Having heard from Ms Cook, The Tribunal made the following findings in fact:

Findings in Fact

- I. *The parties entered into a tenancy agreement in which the Applicant let the Property to the Respondent on a Private Residential Tenancy;*
- II. *The Applicant has fallen into rent arrears. The sum now claimed of £763.54 is lawfully due as rent arrears by the Respondent to the Applicant but remains unpaid.*

Reasons for Decision

[4] Having made the above findings in fact, the Tribunal granted the Application and made a Payment Order in the sum of £763.54.

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.

A McLaughlin

Legal Member/Chair

30 November 2023

Date