



**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/23/3026**

**Re: Property at 30 Miller Road, Inverness, IV2 3EN (“the Property”)**

**Parties:**

**CLC Highland LTD, Windygoul, Mossfield, Invergordon, IV18 0LG (“the Applicant”)**

**Mr Liam Robertson, 30 Miller Road, Inverness, IV2 3EN (“the Respondent”)**

**Tribunal Members:**

**George Clark (Legal Member) and Frances Wood (Ordinary Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the application should be decided without a Hearing and made an Order for Payment by the Respondent to the Applicant of the sum of £4,160, payable by monthly instalments of £300, commencing 6 January 2024, until paid.**

**Background**

1. By application, received by the Tribunal on 27 August 2023, the Applicant sought an Order for Payment in respect of unpaid rent that had become lawfully due by the Respondent to the Applicant. The sum sought was £2,810.
2. The application was accompanied by a copy of a Private Rented Tenancy Agreement between the Parties commencing on 6 October 2022 at a monthly rent of £560, and a Rent Statement showing arrears as at 6 September 2023 of £2,810. The Applicant later provided the Tribunal with an updated Rent Statement showing that as at 6 December 2023, the arrears were £4160.
3. On 3 November 2023, the Tribunal advised the Parties of the date and time of a Case Management Discussion, and the Respondent was invited to make

written representations by 24 November 2023. The Respondent did not make any written representations to the Tribunal.

### **Case Management Discussion**

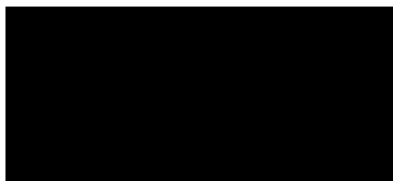
4. A Case Management Discussion was held by means of a telephone conference call on the morning of 13 December 2023. The Applicant was represented by Mr Conneach Laing. The Respondent was also present.
5. The Respondent accepted that the sum of £4,160 was due to the Applicant. He stated that he had made an Application for a Payment by Instalments Direction, which he had asked someone to post on his behalf, but the Tribunal confirmed that it had not been received. The Respondent offered to pay the sum due by instalments of £300 per month and the Applicant told the Tribunal that this would be acceptable to him, provided the Tribunal granted his application under separate proceedings for an Eviction Order.

### **Reasons for Decision**

6. Rule 17 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 provides that the Tribunal may do anything at a Case Management Discussion which it may do at a Hearing, including making a Decision. The Tribunal was satisfied that it had before it sufficient information and documentation to enable it to decide the application without a Hearing and that it appeared that the Parties had provided all the information and documentation they wished the Tribunal to consider in arriving at its Decision.
7. The Tribunal was satisfied that the sum sought in the application, as amended to £4,160, had become lawfully due by the Respondent to the Applicant.

### **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.**



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**Legal Member**

**13 December 2023**  
**Date**

