



**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/23/2159

**Re: Property at Wester Clunie Farmhouse, Foss Road, Cluniemore, Pitlochry,
PH16 5NF (“the Property”)**

Parties:

**Pitlochry Estate Trust, Pitlochry Estate Office, Pitlochry, PH16 5NE (“the
Applicant”)**

**Mr Jonathan Morris, Wester Clunie Farmhouse, Foss Road, Cluniemore,
Pitlochry, PH16 5NF (“the Respondent”)**

Tribunal Members:

George Clark (Legal Member) and Gerard Darroch (Ordinary Member)

Decision (in absence of the Respondent)

**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 £10,760.**

Background

1. By application, dated 30 June 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 £6,260.
2. The application was accompanied by copies of a Private Residential Tenancy Agreement between the Parties, commencing on 24 August 2021 at a rent of £900 per month and a Rent Statement showing arrears of £7,160 as at 24 June 2023.
3. On 17 October 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 7 November 2023. The Respondent did not make any written representations to the Tribunal.

4. On 14 November 2023, the Applicant sought leave to amend the application to increase the arrears stated therein to £10,760 and provided an updated Rent Statement in support of that request.

Case Management Discussion

5. A Case Management Discussion was held by means of a telephone conference call on the morning of 22 November 2023. The Applicant was represented by Miss Rosanna Fraser of Bidwells, Perth. The Respondent was not present or represented. Miss Fraser advised the Tribunal that the arrears were still £10,760, with a further £900 due in two days' time.

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 all the information and documentation it required to enable it to decide the application without a Hearing.
7. The Tribunal was satisfied that the sum sought amended, was 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.



Legal Member/Chair

22 November 2023
Date