



**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/23/3203**

**Re: Property at 14 Maxwood Place, Girdle Toll, Irvine, KA11 1QG (“the Property”)**

**Parties:**

**Map Property Investing Ltd, 1 Beauchamp Court, 10 Victors Way, Barnet, Hertfordshire, EN5 5TZ (“the Applicant”)**

**Mr Christopher Underwood, Ms Suzanne Ahara, 14 Maxwood Place, Girdle Toll, Irvine, KA11 1QG (“the Respondents”)**

**Tribunal Members:**

**Alastair Houston (Legal Member) and Ahsan Khan (Ordinary Member)**

**Decision (in absence of the Respondents)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment of £6100.00 be made in favour of the Applicant.**

**1. Background**

- 1.1 This is an application under Rule 111 of the Chamber Rules. The Applicant seeks an order for payment of £6100.00 comprising of rent apparently unpaid by the Respondents.
- 1.2 The application was accompanied by copies of the written tenancy agreement between the parties and a rent statement. The application was conjoined with an application for an eviction order, reference FTS/HPC/EV/23/3329.

## **2. The Case Management Discussion**

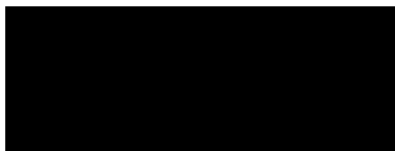
- 2.1 The Case Management Discussion took place on 23 January 2024 by teleconference. The Applicant was represented by Mr Norman Fraser, solicitor. The Respondents were neither present nor represented.
- 2.2 Mr Fraser confirmed that this, and the conjoined application, were insisted upon. The Tribunal noted that intimation of the application and Case Management Discussion had been given to the Respondents by Sheriff Officers and considered it appropriate to proceed in their absence, as permitted by Rule 29 of the Chamber Rules.
- 2.3 Mr Fraser confirmed that the sum sought remained outstanding. The rent arrears owed by the Respondents had increased to £8475.00, albeit no application to amend the sum sought had been made. No payments had been received from the Respondents.

## **3. Reasons For Decision**

- 3.1 The tenancy agreement between the parties imposed a liability upon the Respondents to make payment of rent of £475.00 per calendar month. The rent statement accompanying the application clearly set out the rent which had gone unpaid. In the absence of any representations by the Respondents as to why the sum sought was not due, an order for payment in favour of the Applicant ought to be made.

## **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/Chair

23 January 2024  
Date