



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 of the Private Housing (Tenancies)(Scotland) Act 2016

Chamber Ref: FTS/HPC/CV/23/3996

Property : 38 Marchfield Road, Ayr KA8 8PN (“Property”)

Parties:

Coromell Investments Ltd, 19 Park Road, Paisley PA2 6JP (“Applicant”)

Easy Lets 4 U Ltd, 984 Pollokshaws Road, Glasgow G41 2HA (“Applicant’s Representative”)

Kerri Samantha Embleton, 38 Marchfield Road, Ayr KA8 8PN (“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 £1200.

Background

The Applicant sought an order for payment of £1200 in respect of arrears of rent. The Applicant had lodged Form F. The documents produced were: a Tenancy Agreement dated 7 September 2020, a list of contact made with the Respondent and a schedule of rent arrears. The Application was served on the Respondent by sheriff officer on 6 December 2023. By email dated 22 January 2024 the Applicant’s Representative lodged an updated statement of rent arrears.

Case Management Discussion (“CMD”)

A CMD took place before the Tribunal on 30 January 2024 by teleconference. The Respondent was in attendance. The Applicant was represented by Janice Bell of the Applicant’s Representative.

The Tribunal noted that the rent was £585 in terms of the tenancy agreement and had risen to £595. Ms Bell confirmed that the relevant rent increase process had been followed. The Respondent confirmed that was the case. The Respondent said that she did not dispute that the rent was due. The Tribunal noted that the arrears related to

July and August 2023. The Respondent confirmed that was correct. She said that she took full responsibility for the unpaid rent.

Findings in Fact

The Tribunal made the following findings in fact:

1. The Applicant and the Respondent had entered into a tenancy agreement dated 7 September 2020.
2. In terms of the tenancy agreement the rent was £585 per month.
3. The rent had increased to £595 per month.
4. The Respondent failed to pay the rent in full for the period 9 July 2023 to 9 September 2023. The unpaid amount was £1200.

Reasons for the Decision

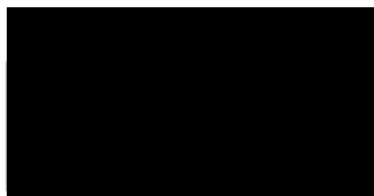
The Tribunal determined to make an Order for payment. In terms of the tenancy agreement rent was due at the rate of £585 per month and had been increased to £595 per month. The rent was unpaid in full for the period 9 July 2023 to 9 September 2023. The unpaid amount was £1200.

Decision

The Tribunal grants an order for payment of £1200.

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 : 30 January 2024