



**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/23/3034**

**Property : G/R 76 B Clepington Road, Dundee DD3 7SW (“Property”)**

**Parties:**

**Quarry Management Investment Co Ltd, Quarry Cottage, Main Street, Inchtore PH14 9RN (“Applicant”)**

**Dymock Properties Ltd, 12b Riverside Court, Mayo Avenue, Dundee DD2 1XD (“Applicant’s Representative”)**

**Teghan Williamson, G/R 76 B Clepington Road, Dundee DD3 7SW (“Respondent”)**

**Tribunal Members:**

**Joan Devine (Legal Member) and Gerard Darroch (Ordinary Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“Tribunal”) determined that an order for payment of £7077.10 should be made.**

**Background**

The Applicant sought an order for payment of £3917.10. The Applicant had lodged Form F. The documents produced were: a Private Residential Tenancy between the Applicant and the Respondent dated 7 and 8 March 2022 which commenced on 7 March 2022 and a rent statement. The Tribunal had sight of a certificate of service by sheriff officer evidencing service of the Application on the Respondent on 1 March 2024. By email from the Applicant’s Representative dated 2 April 2024 the Applicant sought to amend the sum claimed to £7077.10 and provided an updated rent statement. A copy of this was sent to the Respondent on 3 April 2024.

**Case Management Discussion**

A CMD took place before the Tribunal on 9 April 2024 by teleconference. The Applicant was in attendance and was represented by Neil Dymock of the Applicant’s Representative. There was no appearance by the Respondent.

Mr Dymock told the Tribunal that the rent arrears were now £7077.10. He said he had hand delivered an up to date rent statement to the Respondent on 3 April 2024. He said there had been no recent contact from the Respondent.

### **Findings in Fact**

The Tribunal made the following findings in fact:

1. The Applicant and the Respondent entered into a Tenancy Agreement dated 7 and 8 March 2022 which commenced on 7 March 2022 ("Tenancy Agreement").
2. In terms of the Tenancy agreement the rent was £395 per month.
3. The Respondent failed to pay the rent for the period 7 December 2022 to 7 April 2024. The unpaid amount was £7077.10.

### **Reasons for the Decision**

The Tribunal determined to shorten the period of intimation of the application to amend from 14 days and to allow the sum claimed to be amended to £7077.10. thereafter the Tribunal determined to make an Order for payment. In terms of the tenancy agreement rent was due at the rate of £395 per month. The rent was not paid in full for the period 7 September 2022 to 7 April 2024. The unpaid amount was £7077.10.

### **Decision**

The Tribunal grants an order for payment of £7077.10.

### **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.**

# J Devine

**Legal Member**

**Date : 9 April 2024**