



**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/23/3512**

**Re: Property at 28 Monks Road, Airdrie, ML6 9QW (“the Property”)**

**Parties:**

**JWR Holdings Ltd, 52 Southburn Avenue, Airdrie, ML6 9QW (“the Applicant”)**

**Ms Sara Pollock, 28 Monks Road, Airdrie, ML6 9QW (“the Respondent”)**

**Tribunal Members:**

**Andrew McLaughlin (Legal Member) and Ahsan Khan (Ordinary Member)**

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

**[1] The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) granted a Payment Order in favour of the Applicant in the sum of £8,250.00.**

**Background**

[2] The Applicant seeks a Payment Order for rent arrears said to have been accrued by the Respondent under a tenancy between the parties. Rent statements are produced with the Application.

**The Case Management Discussion**

[3] The Application called for a Case Management Discussion (“CMD”) by conference call at 2pm on 7 March 2024. The Applicant was represented by Mr John Grant, Solicitor. The Applicant’s own Mr Rafferty was also present. There was no appearance by or on behalf of the Respondent. The Application and information about how to join the conference call had been served on the Respondent by Sheriff Officers.

The Tribunal accordingly decided to proceed in the absence of the Respondent. Having heard from Mr Grant, the Tribunal made the following findings in fact.

### **Findings in Fact**

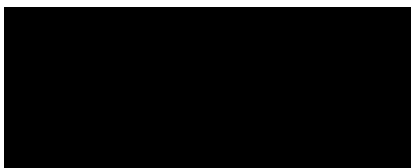
- I. *The Applicants entered into a tenancy agreement whereby the Respondent let the Property from the Applicant;*
- II. *The contractual monthly rent was £750.00;*
- III. *The Respondent stopped paying rent in September 2021 and has not paid any rent whatsoever since then whilst continuing to live in the Property;*
- IV. *The Respondent now owes in excess of £23,000.00 in rent arrears;*
- V. *A previous Payment Order was made by the Tribunal;*
- VI. *Further rent arrears in the sum of £8,250.00 have been accrued by the Respondent. These sums are lawfully due to the Applicant.*

### **Reasons for Decision**

[4] Having made the above findings in fact, the Tribunal granted a Payment Order in favour of the Applicant in the sum of £8,250.00. No award of interest was sought.

### **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

7 March 2024

Date

