



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/23/3520

Re: Property at Flat 4/5, 80 Barrland Street, Glasgow, G41 1AG (“the Property”)

Parties:

Miss Nafisa Khaliq, 176 Stonelaw Road, Glasgow, G73 6PB (“the Applicant”)

Mr Isa Abbasi and Miss Neelum Abbasi, both Flat 4/5, b80 Barrland Street, Glasgow, G41 1AJ (“the Respondents”)

Tribunal Members:

George Clark (Legal 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 £1,350.

Background

1. By application, dated 6 October 2023, the Applicant sought an Order in respect of unpaid rent that had become lawfully due by the Respondent to the Applicant. The sum sought was £1,350.
2. The application was accompanied by copies of a Short Assured Tenancy Agreement between the Parties, commencing on 5 March 2022 at a rent of £675 per month, and a Rent Statement showing arrears of £1,350 as at 5 October 2023.
3. The Applicant stated that the Respondents had always paid their rent late and had failed to pay the rent for September and October 2023. It was believed that they were in receipt of Universal Credit but, despite many reminders and discussions, they had failed to pay the rent.

4. On 22 November 2023, the Tribunal advised the Parties of the date and time of a Case Management Discussion, and the Respondents were invited to make written representations by 13 December 2023. The Respondents did not make any written representations to the Tribunal, but requested a postponement of a Case Management Discussion scheduled for 18 January 2024, to enable them to obtain advice from Govan Law Centre. The Tribunal agreed to that request. No written representations were subsequently received.

Case Management Discussion

5. A Case Management Discussion was held by means of a telephone conference call on the morning of 27 March 2024. The Applicant was represented by Mr Atif Ahmed of The Property Store, Glasgow. The Respondents were not present or represented.
6. The Applicant's representative told the Tribunal that the Respondents vacated the Property on 20 February 2024. They had paid the rent due in January, but the two months' arrears still stood and he was asking for an Order for Payment of £1,350 as stated in the application.

Reasons for Decision

7. The Tribunal was satisfied that the sum sought in the application had become 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

27 March 2024
Date