



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/23/4076

Re: Flat 0/1, 17 Battery Place, Rothesay, Isle of Bute PA20 9DP (“Property”)

Parties:

Bute Island Developments Ltd, 14 Craigmore Road, Rothesay, Isle of Bute PA20 9LB (“Applicant”)

Steven Graham, 94 Coyle Avenue, Drongan KA6 7DW (“Respondent”)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“Tribunal”) determined that an order for payment of £2,150 should be made.

Background

The Applicant sought an order for payment of £2,150 in respect of rent arrears. The Applicant had lodged Form F. The documents produced were: a Tenancy Agreement which commenced on 3 September 2022; communications sent to the Respondent regarding rent arrears and statement of rent arrears. The Application was served on the Respondent by Sheriff Officer on 31 January 2024.

Case Management Discussion

A case management discussion took place before the Tribunal on 19 March 2024 by conference call. The Applicant was represented by Janet Crichton. There was no appearance on behalf of the Respondent. Ms Crichton told the Tribunal that the tenancy ended on 5 June 2023. She said there had been no recent contact with the Respondent. Ms Crichton told the Tribunal that no deposit had been paid at the start of the tenancy. The Tribunal noted the arrears covered the period February to June 2023.

Findings in Fact

The Tribunal made the following findings in fact:

1. The Applicant and the Respondent had entered into a Tenancy Agreement which commenced on 3 September 2022 ("Tenancy Agreement").
2. The tenancy ended on 5 June 2023
3. In terms of the Tenancy Agreement the rent was £450 per month.
4. The Respondent had failed to pay the rent in full for the period 1 February 2023 to 1 June 2023. The unpaid amount was £2,150.

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 £450 per month. The Respondent had failed to pay the rent in full for the period 1 February 2023 to 1 June 2023. The outstanding sum is £2,150.

Decision

The Tribunal grants an order for payment of £2,150..

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 : 19 March 2024