



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71(1) of the Private Housing (Tenancies) (Scotland) Act 2016 (“The Act”)**

**Chamber Ref: FTS/HPC/CV/24/0045**

**Re: Property at 152 Hilton Road, Aberdeen, AB24 4PH (“the Property”)**

**Parties:**

**Miss Melanie Thain, 9 Carnie Park, Elrick, Westhill, AB32 6HW (“the Applicant”)**

**Miss Michelle Margaret Aitken (SBA), UNKNOWN, UNKNOWN (“the Respondent”)**

**Tribunal Members:**

**Andrew McLaughlin (Legal Member)**

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

[1] The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) granted the Application and made a Payment Order in favour of the Applicant against the Respondent in the sum of £1,104.12.

**Summary of Dispute**

[2] The Applicant seeks a Payment Order for rent arrears said to have been accrued by the Respondent under a tenancy between the parties. The sum claimed is £1,104.12. The Application is accompanied by a copy of the tenancy agreement and a rent statement.

**The Case Management Discussion**

[3] The Application called for a Case Management Discussion (CMD) by conference call at 2pm on 12 April 2024. The Applicant was represented Ms Billie Redgate, letting agent. There was no appearance by the Respondent. The Application and information about how to join the CMD had been served on the Respondent by means of advertisement on the Tribunal website, as her whereabouts could not reasonably be established.

[4] On the basis that the Application had been competently served, the Tribunal decided to proceed in the absence of the Respondent. Having heard from Ms Redgate and having considered all the paperwork before the Tribunal, the Tribunal made the following findings in fact.

### **Findings in Fact**

- I. *The parties entered into a tenancy agreement whereby the Applicant let the Property to the Respondent under a private residential tenancy agreement within the meaning of the Act.*
- II. *The Respondent vacated the Property with the sum of £1,104.12 lawfully due as arrears of rent to the Applicant.*

### **Decision**

[5] Having made the above findings in fact, the Tribunal granted the Application and made a Payment Order in favour of the Applicant against the Respondent in the sum of £1,104.12.

### **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.**

**Andrew McLaughlin**

**Legal Member/Chair**

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**12 April 2024**

**Date**