



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/23/3209

Re: Property at Penelopefield House, Forglen, Turriff, AB53 4LD (“the Property”)

Parties:

Mrs Patricia Steele, Penelopefield House, Forglen, Turriff, AB53 4LD (“the Applicant”)

Mr Gavin Jamieson, Room 1, The Royal Oak, 16 Deveron Street, Turriff, AB53 4BU (“the Respondent”)

Tribunal Members:

Nairn Young (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that

- Background

This is an application for an order for payment of rent arrears alleged to be owed by the Respondent to the Applicant in terms of his private residential tenancy at the Property. It called for a case management discussion (‘CMD’) at 2pm by teleconference. The Applicant was on the line in-person. The Respondent was not on the line or represented. The commencement of the CMD was delayed by 10 minutes to allow for any technical difficulty he may have been experiencing, but there remained no contact from him.

The application, with details of the CMD, was served on the Respondent on 22 February 2024 by sheriff officers. The Tribunal was satisfied that he had therefore received intimation of the date of the CMD and had chosen not to oppose the application. It considered it fair to proceed in his absence on that basis.

- Findings in Fact

The following facts, as set out in the application, and unopposed by the Respondent, provided the basis for the decision:

1. The Respondent let the Property from the Applicant in terms of a private residential tenancy, which terminated on 23 September 2023.
2. At termination the Respondent was in arrears of rent of £3,329.20.
3. The Respondent has made no payment towards these arrears since.

- Reasons for Decision

4. The Respondent owes the Applicant £3,329.20 in arrears, which is the sum sought. An order for payment of that amount should therefore be made.

- Decision

Order made for payment by the Respondent to the Applicant of the sum of THREE THOUSAND, THREE HUNDRED AND TWENTY-NINE POUNDS AND TWENTY PENCE STERLING (£3,329.20).

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.



2 April 2024

Legal Member/Chair

Date