



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

Chamber Ref: FTS/HPC/CV/24/0293

Re: Property at 24 Whitehills Lane South, Charleston Road, Cove, Aberdeen, AB12 3SU (“the Property”)

Parties:

LAR Housing Trust, Buchan House, Carnegie Campus, Enterprise Way, Dunfermline, KY11 8PL (“the Applicant”)

Miss Charlotte Whitelaw, 55 Mansfield Place, Aberdeen, AB11 8JU (“the Respondent”)

Tribunal Members:

Alastair Houston (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment of £1796.64 be made in favour of the Applicant.

1. Background

- 1.1 This is an application under rule 111 of the Chamber Rules whereby the Applicant seeks an order for payment in respect of rent arrears. The application was accompanied by copies of the written tenancy agreement between the parties, email correspondence between them and a rent statement.
- 1.2 An application for service by advertisement had been made. Service had been effected using this method. No representations had been received from the Respondent.

2. The Case Management Discussion

2.1 The Case Management Discussion took place on 30 May 2024 by teleconference. Ms Nicole Maxwell of the Applicant attended. The Respondent neither attended nor was she represented.

2.2 Ms Maxwell confirmed the application was insisted upon. The Tribunal deemed it appropriate to proceed in the Respondent's absence given service had been effected by advertisement.

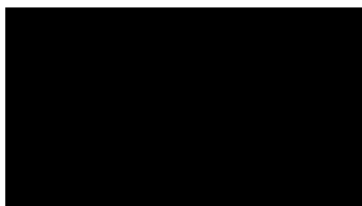
2.3 Ms Maxwell advised that the tenancy began in February 2020, ending in December 2020. Arrears of rent in the sum of £1796.64 remained due. The Applicant had been unable to contact the Respondent to come to a payment plan.

3. Reasons For Decision

3.1 The tenancy agreement between the parties imposed an obligation on the Respondent to pay rent of £628.56 per calendar month. The rent statement lodged detailed payments received during the tenancy and the amount that remained outstanding. In the absence of any representations by the Respondent as to why such a sum would not be lawfully due, the Tribunal granted the order 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.



Legal Member/Chair

30 May 2024
Date