



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/24/0553

Re: Property at 1/R 192 Strathmartine Road, Dundee, DD3 8DG (“the Property”)

Parties:

Mr Anthony Ablett, 4 Beach Tower, Ralston Road, Dundee, DD5 1NQ (“the Applicant”)

Ms Jordana Ogilvie, 1/R 192 Strathmartine Road, Dundee, DD3 8DG (“the Respondent”)

Tribunal Members:

Mary-Claire Kelly (Legal Member) and Ahsan Khan (Ordinary Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined to grant an order for payment in the sum of TWO THOUSAND FIVE HUNDRED AND FORTY-THREE POUNDS (£2543)

Background

1. By application dated 1 February 2024 the applicant seeks an order for payment in respect of rent arrears. The application was heard alongside a second application between the parties seeking an order for eviction under reference FTS/HPC/CV/0552.
2. The applicant lodged the following documents with the application:
 - Copy tenancy agreement
 - Rent accounts for the duration of the tenancy

Case management discussion (“cmd”) – teleconference – 10 June 2024

3. The applicant was in attendance. The respondent was not present or represented. The Tribunal was satisfied that the respondent had received proper notice of the cmd and proceeded with the cmd in her absence in terms of rule 29.
4. The applicant sought an order for payment in the sum of £2543. The lease which had been lodged showed that the monthly rent due was £370. Rent accounts had been lodged which spanned the period from the commencement of the tenancy on 21 March 2019 to 1 February 2024. These showed the rent arrears as at 1 February 2024 to be £2543.

Findings in fact

5. Parties entered into a tenancy agreement with a commencement date of 21 March 2019.
6. Monthly rent due in terms of the agreement was £370.
7. Arrears as at 1 February 2024 amounted to £2543.

Reasons for the decision

8. The Tribunal had regard to the application and the documents lodged by the applicant.
9. The Tribunal took into account that the respondent had not lodged any defence to the application or disputed the sum sought in any way.
10. The Tribunal was satisfied that arrears in the amount of £2543 were lawfully due as at the date of the cmd.

Decision

The Tribunal determined to grant an order for payment in the sum of £2543.

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.

Mary-Claire Kelly

Legal Member/Chair

Date 10 June 2024