

**Housing and Property Chamber**  
First-tier Tribunal for Scotland

---



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland  
(Housing and Property Chamber)**

**Chamber Ref: FTS/HPC/CV/23/4193**

**Re: Property at 67 TR Seagate, Dundee, DD1 2EH (“the Property”)**

**Parties:**

**Sale Developments Limited, Westburn House, NR Dunning, Perthshire, PH2  
0QY (“the Applicant”)**

**Mr Gavin Ross, Mr Jussi Peter Yrjo Aalto-Gallacher, UNKNOWN, UNKNOWN  
 (“the Respondent”)**

**Tribunal Members:**

**Virgil Crawford (Legal Member)**

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

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

**BACKGROUND**

1. By Lease dated 21<sup>st</sup> September 2022, the Applicant let the Property to the Respondents.
2. The rent payable was £750.00 per calendar month.
3. Following termination of the tenancy the Applicant presented an application to the Tribunal seeking an order for payment in the sum of £1,075.34. This related to rent due at the termination of the tenancy.
4. The rent statement submitted in support of the claim was confusing and did not explain how that figure was arrived at. A subsequent rent statement prepared by the Applicant’s accountant indicated that the actual amount due was £856.18.

**THE CASE MANAGEMENT DISCUSSION**

5. A case management discussion was assigned to be held by teleconference at 11:30am on 3<sup>rd</sup> June 2024. The Applicant was represented by Miss Hazel Young of Rockford Properties. Natalie Robertson, Operations Manager at Rockford Properties, also participated to provide information in relation to the rent statement. The Respondents did not participate. The Tribunal was previously unable to serve the proceedings upon the Respondent by Sheriff Officers. The Tribunal subsequently advertised the proceedings on the Tribunal website. The Tribunal was in receipt of a Certificate of Advertisement confirming that the Respondent had been given lawful notice of the proceedings. In the circumstances the Tribunal was satisfied, in terms of Rule 24 of the First Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 that the Respondent had received intimation of the date and time of the Case Management Discussion and considered that it was appropriate to proceed with the Case Management Discussion in the absence of the Respondent in accordance with Rule 29 of said Rules.
6. Miss Young moved the tribunal to amend the amount claimed by reducing it to £856.18. Given the amended reduced the amount being claimed and, clearly, did not prejudice the Respondents, the Tribunal allowed that amendment.
7. Thereafter, Miss Young moved the tribunal to grant a payment order in that amount. In the absence of any opposition by the Respondents, the Tribunal granted a payment order in that amount.

## **DECISION**

The Tribunal granted an order against the Respondents for payments of the sum of £856.18 to the Applicant.

### **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.**

# V Crawford

**03 June 2024**

---

**Legal Member/Chair**

---

**Date**