



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/23/3879

Re: Property at 1 Hallside Avenue, Cambuslang, Glasgow, G72 7DR (“the Property”)

Parties:

L & I Property Rentals, Campsie View, Broomhouse, Auchentibber Road, Glasgow, G72 0TP (“the Applicant”)

Ms Janine Craig, 26 Westburn Road, Glasgow, G72 7LQ (“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 in terms of her private residential tenancy agreement with the Applicant. It called for a case management discussion (‘CMD’) at 2pm on 28 June 2024, by teleconference. The Applicant was represented on the call by Mr Nimmo, of Raeside Chisholm Solicitors Limited. The Respondent was not on the call and was not represented. The commencement of the CMD was delayed by 10 minutes, in case of any technical difficulty; but there remained no contact from her.

A copy of the application and notice of the CMD was given to the Respondent by sheriff officers on 24 May 2024. The Tribunal was satisfied that it was reasonable to proceed on the basis that the matter was therefore undefended.

- Findings in Fact

The following facts from the application were relied on by the Tribunal, as unopposed:

1. The Respondent entered into a private residential tenancy agreement with the Applicant in respect of the Property, with a start date of 8 April 2018.
2. In terms of that agreement, rent of £554 was due every four weeks.
3. By notice, the rental charge was increased to £582 every four weeks, at some point prior to 9 April 2021.
4. The tenancy was terminated on 24 June 2022.
5. At the date of termination, the Respondent owed £2,984 in rent.
6. The Respondent has made payments towards those arrears since that date, reducing them to £2,568.

- Reasons for Decision

The Respondent owes the sum sought in the application to the Applicant. 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 TWO THOUSAND, FIVE HUNDRED AND SIXTY-EIGHT POUNDS STERLING (£2,568).

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.

Narin Young

Legal Member/Chair

28/6/24

Date