



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/23/4045

Re: Property at Flat 3/3, 6 Brick Lane, Paisley, PA3 4AE (“the Property”)

Parties:

D & E Properties, Bourtreehill Cottage, Irvine, KA11 3DA (“the Applicant”)

Ms June Pickthall, Flat 3/3, 6 Brick Lane, Paisley, PA3 4AE (“the Respondent”)

Tribunal Members:

Mark Thorley (Legal Member) and Tony Cain (Ordinary Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that to grant an order for payment by the respondent to the applicant in the sum of Three thousand and sixty six pounds and seventy nine pence (£3,066.79).

Background

1. The applicant applied to the First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) by application dated 22 September 2023.
2. Accompanying the application is a copy of the Private Residential Tenancy Agreement and also a Rent Statement. The sum sought at the time of the application was £2,016.79. It was subsequently amended to the sum of £3,066.79.
3. The application was received by the Tribunal on 15 November 2023.
4. Further information was sought. The application was accepted for consideration on 6 December 2023.
5. On 23 February 2024 the application was accepted for determination.
6. The application was served by sheriff officers on the respondent at the address at Flat 3/3, 6 Brick Lane, Paisley.

7. No representations were received by the respondent.

Case Management Hearing

8. At the case management hearing the applicant attended. There was no appearance by or for the respondent.

9. The applicant confirmed that rent arrears were now in the sum of £3,195.27 but these had not been updated. The last update that was provided was with the Rent Statement on 1 December 2023 confirming rental outstanding at £3,066.79.

Findings in Fact

10. The parties entered into a Private Residential Tenancy Agreement for the rental of the property at Flat 3/3, 6 Brick Lane, Paisley PA3 4AE.

11. The Private Residential Tenancy Agreement was signed on 19 April 2019.

12. Rent was due to be paid in the sum of £350 per month.

13. As at 1 December 2023 the outstanding sum due was £3,066.79.

Reasons for decision

14. The respondent did not attend at the case management hearing nor indeed had the respondent made any written representations.

15. The Tribunal accepted the evidence provided by the applicant in terms of the Rent Statement. The Rent Statement set out the sums due as at 1 December 2023.

16. Accordingly the Tribunal granted decree in those terms.

Decision

To grant an order for payment by the respondent to the applicant in the sum of Three thousand and sixty six pounds and seven nine pence (£3,066.79).

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.

Mark Thorley

Legal Member

Date: 13 June 2024