



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/23/4476

Re: Property at 153B High Street, Arbroath, DD11 1DR (“the Property”)

Parties:

Veyda Ltd, Barns of Wedderbun Farmhouse, Dundee, DD4 0PG (“the Applicant”)

Mr Craig Milne, 153B High Street, Arbroath, DD11 1DR (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal Member)

Decision (in absence of the Respondent)

[1] The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) made a Payment Order in favour of the Applicant against the Respondent in the sum of £2,400.00

Background

[2] The Applicant seeks a Payment Order in respect of rent arrears said to be lawfully due by the Respondent to the Applicant under a tenancy between the parties.

[3] The Application is accompanied by a copy of the tenancy agreement and rent statements. The Application had previously been competently served on the Respondent and been scheduled to call alongside a related Eviction Application between the parties. The Tribunal had granted an Eviction Order but not been aware that there was also a separate Application for a Payment Order to be dealt with. It had been acknowledged in

that Hearing that there were rent arrears due by the Respondent to the Applicant in the sum of £2,400.00.

Case Management Discussion

[4] The Application called for a Case Management Discussion (“CMD”) by conference call at 2pm on 18 June 2024. The Applicant was represented by Ms Paczkowska. There was no appearance by or on behalf of the Respondent. Service of the Application had been competently effected on the Respondent. The Tribunal therefore decided to proceed in the Respondent’s absence. Having heard from Ms Paczkowska, the Tribunal made the following findings in fact.

Findings in fact

- I. *The Parties entered into a tenancy agreement in terms of which the Applicant let the Property to the Respondent;*
- II. *The sum of £2,400.00 is currently lawfully due as rent arrears by the Respondent to the Applicant.*

Decision

[5] Having made the above findings in fact, the Tribunal granted the Application and made a Payment Order in favour of the Applicant against the Respondent in the sum of £2,400.00

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.

Andrew McLaughlin

Legal Member/Chair

18 June 2024

Date