



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/24/0124

Re: Property at 34D Gertrude Place, Barrhead, G78 1JZ (“the Property”)

Parties:

Mr Brian Thorrat, 1 Berelands Gardens, Prestwick, KA9 2LX (“the Applicant”)

Miss Sharon Kerr, 34D Gertrude Place, Barrhead, G78 1JZ (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal Member) Gerard Darroch (Ordinary Member)

Decision

[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 £2,650.00.

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.

The Case Management Discussion

[3] The Application called for a Case Management Discussion (CMD) by conference call at 10 am on 24 June 2024. The Applicant was represented by their letting agent, Ms McLelland of Castle Residential. The Respondent was also personally present. Neither party had any preliminary matters to raise. The Tribunal discussed the Application with the Respondent. The Respondent acknowledged that she had accrued rent arrears and

the sum claimed of £2,650.00 was lawfully due as rent arrears to the Applicant. Having heard from parties, the Tribunal made the following findings in fact.

Findings in fact

- I. *The Parties entered into a tenancy agreement dated in terms of which the Applicant let the Property to the Respondent;*
- II. *The sum claimed of £2,650.00 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 £2,650.00

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.

A. McLaughlin

Legal Member/Chair

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24 June 2024

Date