



**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/23/3002**

**Re: Property at 21 Greenhead Road, Wishaw, ML2 8DL (“the Property”)**

**Parties:**

**C&F Property rentals, 111 Westwood Road, Newmains, ML2 9EL (“the Applicant”)**

**Mr Daniel McColl, 21 Greenhead Road, Wishaw, ML2 8DL (“the Respondent”)**

**Tribunal Members:**

**Andrew Upton (Legal Member) and Gerard Darroch (Ordinary Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Respondent is liable to make payment to the Applicant in the sum of THREE THOUSAND SEVEN HUNDRED AND SEVENTY-THREE POUNDS AND EIGHTY-SIX PENCE (£3,773.86) STERLING.**

**Statement of Reasons**

1. This Application called for its Case Management Discussion by teleconference call on 8 July 2024. The Applicant was represented by Ms Franchetti. The Respondent was not present or represented.
2. In this Application the Applicant seeks payment of the sum of £3,773.86 said to be due by the Respondent as rent arrears. The Application is supported by a statement of rent account showing the rent falling due and any payments made.
3. The Respondent has vacated the Premises. For that reason, the Application was served by Advertisement on the Tribunal website.

4. In terms of Rule 17(4) of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017, the Tribunal may do anything at a Case Management Discussion that it may do at a Hearing, including make a Decision. In terms of Rule 2, when making a Decision, the Tribunal requires to have regard to the overriding objective to deal with proceedings justly; including by avoiding unnecessary delay.
5. The Respondent has had service of the Application but has not lodged written representations or attended the Case Management Discussion to dispute the Application. In the circumstances, the Tribunal is satisfied that the Application is not in dispute. The Tribunal will make the payment order in the sum claimed.

### **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 Upton

8<sup>th</sup> July 2024

Legal Member/Chair

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Date