



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 16 of the Housing (Scotland)
Act 2014**

Chamber Ref: FTS/HPC/CV/24/1267

**Re: Property at 2 Heatherstane Walk, Irvine, North Ayrshire, KA11 1EA (“the
Property”)**

Parties:

**Easton Properties Limited, 2 Newfield Drive, Dundonald, South Ayrshire, KA2
9EW (“the Applicants”)**

**Mr Stephen Bryden, 2 Heatherstane Walk, Irvine, North Ayrshire, KA11 1EA
 (“the Respondent”)**

Tribunal Members:

George Clark (Legal Member) and Elaine Munroe (Ordinary Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that the application should be decided without a Hearing
and made an Order for Payment by the Respondent to the Applicants of the sum
of £6,175.**

Background

1. By application, dated 15 March 2024, the Applicants sought an Order for Payment in respect of rent that had become lawfully due by the Respondent to the Applicants. The sum sought was the amount outstanding at the date of the Tribunal’s determination, the arrears at the date of the application being £4,275.
2. The application was accompanied by a copy of a Private Residential Tenancy Agreement between the Parties, commencing on 9 December 2020 at a monthly rent of £475, and a Rent Statement showing arrears as at 15 March 2024 of £4,275, with no payments having been made since 31 October 2023,
3. On 1 July 2024, the Tribunal advised the Parties of the date and time of a Case Management Discussion, and the Respondent was invited to make written

representations by 22 July 2024. The Respondent did not make any written representations to the Tribunal.

Case Management Discussion

4. A Case Management Discussion was held by means of a telephone conference call on the morning of 8 August 2024. The Applicants were represented by their Property Manager, Miss Aynsley Barclay. The Respondent was not present or represented.
5. The Applicants told the Tribunal that no payments of rent had been received since the date of the application and that the arrears now stand at £6,175.

Reasons for Decision

6. Rule 17 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 provides that the Tribunal may do anything at a Case Management Discussion which it may do at a Hearing, including making a Decision. The Tribunal was satisfied that it had before it all the information and documentation it required to enable it to decide the application without a Hearing.
7. The Tribunal was satisfied that the sum sought as at the date of the Case Management Discussion, namely £6,175, had become lawfully due by the Respondent to the Applicant.

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.

George Clark

Legal Member/Chair

8 August 2024
Date