



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 (“the Act”)

Chamber Ref: FTS/HPC/EV/24/4503

Re: Property at 3D Fore Street, Port Glasgow, PA14 5EE (“the Property”)

Parties:

C K & G Homes Ltd, 1, Ratho Street, Greenock, PA15 2BU (“the Applicant”) per their agents, Corbett & Shield, 1, Ratho Street, Greenock, PA15 2BU (“the Applicant’s Agents”)

Mr John McCue (“the Respondent”)

Tribunal Members:

Karen Moore (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”), determined that an Order for Payment in the sum of TWO THOUSAND FIVE HUNDRED AND FIFTY FIVE POUNDS AND NINETY TWO PENCE (£2,555.92) Sterling be granted.

Background

1. By application received between 13 December 2023 and 29 February 2024 (“the Application”), the Applicant’s Agents applied to the Tribunal for an Order for payment of rent due and owing.
2. The Application comprised the following:
 - i) copy private residential tenancy agreement between the Parties showing a monthly rent of £350.00 and
 - ii) copy rent statement showing arrears of £2,555.92 due and owing at 7 January 2024;

3. The Application was accepted by the Tribunal Chamber and a Case Management Discussion (the "CMD") was fixed for 23 July 2024 at 11.30 by telephone conference. The CMD was intimated to both Parties, and, in particular, was intimated to the Respondent by Sheriff Officer service on 14 June 2024.

CMD

4. The CMD took place on 8 July 2024 at 10.00 by telephone. The Applicant was represented by the Applicant's Agents. The Respondent was not present and was not represented. He did not submit written representations.
5. The Applicant's Agents confirmed the Order sought and confirmed that there had been no contact from Respondent and no payments had been made.

Findings in Fact

6. From the Application and the CMD, the Tribunal made the following findings in fact: -
 - i) There is a private residential tenancy of the Property between the Parties;
 - ii) The monthly rent is currently £350.00;
 - iii) There are rent arrears of £2,555.92 due and owing by the Respondent to the Applicant.

Decision and reasons for the decision

7. The Tribunal had regard to Rule 17(4) of the Rules which states that the Tribunal "*may do anything at a case management discussionincluding making a decision*". The Tribunal took the view that it had sufficient information to make a decision and so proceeded to determine the Application.
8. The grounds and procedure being established, and the Application not being opposed, the Tribunal decided to grant the Order in the sum of TWO THOUSAND FIVE HUNDRED AND FIFTY FIVE POUNDS AND NINETY TWO PENCE (£2,555.92).

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.

Karen Moore

Legal Member/Chair

23 July 2024
Date