



**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/24/0595

**Re: Property at 75 Broadstone Avenue, Port Glasgow, PA14 5BB (“the
Property”)**

Parties:

Infinity Homz, 1 Ratho Street, Greenock, PA15 2BU (“the Applicant”)

**Mr Colin McDonald, 32 Islay Avenue, Port Glasgow, PA14 6AR (“the
Respondent”)**

Tribunal Member:

George Clark (Legal 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 Applicant of the sum
of £1,661.30.**

Background

1. By application, dated 5 February 2024, the Applicant sought an Order for Payment in respect of rent that had become lawfully due by the Respondent to the Applicant. The sum sought was £1,661.30.
2. The application was accompanied by a copy of a Private Residential Tenancy Agreement between the Parties, commencing on 19 August 2022 at a monthly rent of £525, and a Rent Statement showing arrears as at 7 February 2024 of £1,661.30.
3. On 29 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 19 August 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 29 August 2024. The Applicant was represented by Miss Annette Weston and Mrs Nikki Boag of Corbett and Shields Limited, Greenock. The Respondent was not present or represented.
5. The Applicant's representatives told the Tribunal that no payments of rent had been received since the date of the application. The Applicant had become aware on 21 April 2024 that the Respondent had abandoned the Property without giving the required 28 days' notice. The sum sought represented rent arrears down to the expiry of a 28 day period from 21 April 2024.

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 had become lawfully due by the First-named Respondent to the Applicant. The Respondent had left without giving the 28 days' notice required in terms of the Tenancy Agreement, so the Applicant was entitled to payment of rent up to and including 19 May 2024.

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

29 August 2024
Date

