



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/24/0916

Re: Property at 14 Livingston Street, Hamilton, ML3 9LW (“the Property”)

Parties:

Mr Phillip Steele, Glenavon Farm, Larkhall, ML9 1QY (“the Applicant”)

Ms Stephanie Cairns, 17 Blackhall Street, Larkhall, ML7 5HR (“the Respondent”)

Tribunal Members:

Alison Kelly (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 should be made.

Background

1. On 21st February 2024 the Applicant lodged an application under Rule 111 of the First Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”) seeking payment of a sum of rent arrears.
2. Lodged with the Application were:
 - a. Copy Private Residential Tenancy dated 19th June 2022 and showing a rent of £475 per month
 - b. Rent Statement showing arrears of £3048.77 as at 19th February 2024
3. The Application was served on the Respondent by Sheriff Officer on 12th August 2024.

Case Management Discussion

4. The Case Management Discussion (“CMD”) took place on 9th September 2024 by teleconference. The Applicant was represented by Ms Franchitti of Property Angels Letting & Management Ltd. The Respondent represented herself.
5. The Chairperson confirmed the purposes of a CMD in terms of Rule 17 of the Rules.
6. Ms Franchitti asked that an order be granted for payment, in the amount of £3048.77, being the sum due as shown on the rent statement and being the arrears due as at 19th February 2024. She said that the tenancy had come to an end on 11th March 2024.
7. The Respondent said that she did not dispute the sum due, but asked for time to pay. She had received the Time To Pay Application, but she was shortly to give birth to her third child and though it would be easier to explain her circumstances on the call.
8. After some discussion the parties agreed that the repayment amount should be £20 per week.

Findings in Fact

- i. The parties entered in to a tenancy agreement for rent of the property;
- ii. The monthly rent was £475;
- iii. The Respondent vacated the property on 11th March 2024 ;
- iv. At the end of the tenancy the rent arrears owed were £3048.77
- v. The parties agreed a repayment arrangement of £20 per week.

Reasons for Decision

The Respondent owes rent to the Applicant in the amount of £3048.77.

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.

Alison Kelly

9th September 2024

Legal Member/Chair

Date