



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71(1) of the Private Housing (Tenancies) (Scotland) Act 2016

Chamber Ref: FTS/HPC/CV/24/1219

Re: Property at 79 Morag Riva Court, Uddingston, G71 7BF (“the Property”)

Parties:

Mrs Jean Brown, 15 Barassie Court, Bothwell, G71 8UH (“the Applicant”)

Ms Eilish Hennessy, Flat 1/2, 48 Heathcot Avenue, Drumchapel, Glasgow, G15 8NX (“the Respondent”)

Tribunal Members:

Graham Harding (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Applicant was entitled to an order for payment by the Respondent to the Applicant in the sum of £5100.00.

Background

1. By application dated 12 March 2024 the Applicant’s representatives, Property Angels Lettings and Management Limited, Bothwell, Glasgow, applied to the Tribunal for an order for payment in respect of alleged rent arrears arising from the Respondent’s tenancy of the property. The Applicant’s representatives submitted a copy of the tenancy agreement together with a rent statement and other documents in support of the application.
2. By Notice of Acceptance dated 11 April 2024 a legal member of the Tribunal with delegated powers accepted the application and a Case Management Discussion (“CMD”) was assigned.
3. Intimation of the CMD was served on the Respondent by Sheriff Officers on 29 July 2024.

The Case Management Discussion

4. A CMD was held by teleconference on 27 August 2024. The Applicant was represented by Ms Angelina Franchitti from the Applicant's representatives. The Respondent did not attend nor was she represented. The Tribunal being satisfied that proper intimation had been given to the Respondent determined to proceed in her absence.
5. Ms Franchitti advised the Tribunal that the rent arrears remained at £5100 after the Respondent's deposit had been returned to the Applicant and asked the Tribunal to grant an order for payment in that amount.

Findings in Fact

6. The Respondent owed rent of £5100.00 as at 12 March 2024 after payment of the Respondent's deposit to the Applicant and this amount was still outstanding at the date of the CMD.

Reasons for Decision

7. The Tribunal was satisfied from the written representations and documents submitted by the Applicant's representatives together with the oral submissions that the Applicant was entitled to an order for payment by the Respondent in the sum of £5100.00.

Decision

8. The Tribunal finds the applicant entitled to an order for payment by the Respondent to the Applicant in the sum of £5100.00.

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.

Date: 27 August 2024

Graham Harding

Legal Member/Chair: