



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/24/1635

Re: Property at 1 Durward Crescent, Paisley, PA2 0LN (“the Property”)

Parties:

Mr Lee Pierce-Jones, Apartment 4401, 7 Bankside Boulevard, Salford, M3 7HP (“the Applicant”)

Mr Sean Clark, 0/1 25 Grampian Avenue, Paisley, Renfrewshire, PA2 8DN (“the Respondent”)

Tribunal Members: Mark Thorley (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 by the Respondent to the Applicant in the sum of One Thousand One Hundred and Eighty Five Pounds and Forty Eight Pence (£1185.48) together with interest at the rate of 8% per annum from 22 August 2024 until payment be made.

- Background

The applicant applied to the Tribunal by application dated 9 April 2024. Accompanying the application were the following documents

- (a) Tenancy Agreement
- (b) Bank Statements to 31/03/24
- (c) Final Rent Statement
- (d) Correspondence summary

The application was accepted for determination on 3 May 2024.

The Application was served on the Respondent by sheriff officers depositing a copy of the application on 22 July 2024.

- The Case Management Discussion

At the Case Management Discussion the Applicant attended. There was no appearance by or for the Respondent. The Applicant confirmed that there was a previous order for payment of rent against the Respondent dated 2 June 2023 for the sum of £1837.50. This was for the period up to 26 March 2023. An eviction order was granted against the Respondent also on 2 June 2023. Rent was due for the period 27 March 2023 to 2 June 2023. That amounted to £1185.48.

- Findings in Fact

- (a) The parties entered into a tenancy agreement 26 July 2022 for the property at 1 Durward Crescent, Paisley PA2 0LN
- (b) The monthly rent was £525.00
- (c) The Respondent failed to pay rent between 27 March 2023 and 2 June 2023 totalling £1185.48.

- Reasons for Decision

The Applicant had lodged paperwork showing that rent was due over the period from 27 March 2023 to 2 June 2023. There had been earlier Tribunal decisions to evict the Respondent and also to pay rent due. The Tribunal accepted the written evidence and oral evidence provided. Interest was due to be paid on the basis that the Respondent had paid nothing towards the earlier award.

- Decision

To make an order for payment by the Respondent to the Applicant of the sum of £1185.48 with interest at the rate of 8% per annum until payment

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.

Mark Thorley

Legal Member/Chair

22 August 2024

Date