



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 (Act)

Chamber Ref: FTS/HPC/CV/24/1180

Re: Property at 2/2 46 Pleasance Street, Glasgow, G43 1SW (“the Property”)

Parties:

Mr Aleksandar Kocic, Jelena Milicev, 2/1 29 Bellshaugh gardens, Glasgow, G12 0SA (“the Applicant”)

Mr Younis Ali, 2/2 46 Pleasance Street, Glasgow, G43 1SW (“the Respondent”)

Tribunal Members:

Alan Strain (Legal Member) and Elizabeth Dickson (Ordinary 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 be granted in the sum of £4,527.50.

Background

This is an application under Rule 111 of *The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (Rules)* and section 71(1) of the Act in respect of a claim for payment of alleged rent arrears.

The Tribunal had regard to the following documents:

1. Application received 11 March 2024;
2. Private Residential Tenancy Agreement (**PRTA**) commencing 16 January 2021;
3. Rent Arrears Statement at 30 April 2024;
4. Sheriff Officer Certificate of Service of Tribunal CMD Notification on Respondent dated 19 August 2024.

Case Management Discussion (CMD)

The case called for a CMD by conference call on 17 September 2024. The Applicants participated. The Respondent did not participate and was not represented.

The Tribunal delayed the start of the CMD to see if the Respondent would participate but he did not.

The Tribunal were satisfied that the Respondent had received notification of the Case Management Discussion and that the Tribunal could determine the matter if it considered it had sufficient information to do so and the procedure was fair. The notification also advised the Respondent that he should attend and the Tribunal could determine the matter in absence if he did not.

The Applicants confirmed the arrears had increased as the Respondent had not paid any rent since the statement as at 30 April 2024 had been produced.

The Tribunal then considered the documentary evidence it had received and the submissions made. In so far as material the Tribunal made the following findings in fact:

1. The Parties let the subjects under a PRTA commencing 16 January 2021;
2. The monthly rent was £700;
3. As at 30 April 2024 the Respondent was in arrears of rent in the sum of £4,527.50.

Decision and Reasons

The Tribunal was satisfied that in the circumstances the Applicants were due the outstanding rent from the Respondent and granted the order sought.

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.

Alan Strain

17 September 2024

Legal Member/Chair

Date