



**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/24/0735**

**Re: Property at 16 Stonehaven Crescent, Airdrie, North Lanarkshire, ML6 9TF (“the Property”)**

**Parties:**

**Mr Craig Morrison C.A. Quantuma, 175 West George Street, Glasgow G2 2LB  
Trustee of Mr Lendrick Gillies (Gillies Properties), 132 St John's Road,  
Edinburgh, EH12 8AX (“the Applicant”)**

**Mr George Wilson, 16 Stonehaven Crescent, Airdrie, North Lanarkshire, ML6  
9TF (“the Respondent”)**

**Tribunal Members:**

**Graham Harding (Legal Member) and Ahsan Khan (Ordinary 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 £17046.73.**

**Background**

1. By application dated 13 February 2024 the Applicant’s representatives, Aquila Management Services, Airdrie, 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 in support of the application.
2. By Notice of Acceptance dated 29 May 2024 a legal member of the Tribunal with delegated powers accepted the application and a Case Management Discussion (“CMD”) was assigned.

3. By email dated 12 August 2024 the Applicant's representatives advised the Tribunal that the Applicant Mr Lendrick Gillies had been sequestered on 11 June 2024 and the Applicant Mr Craig Morrison appointed as his Trustee and requested that the application be amended to reflect the change in Applicant. The tribunal agreed to the amendment.
4. By email dated 4 September 2024 the Applicant's representatives intimated a revised rent statement to the Tribunal and the Respondent and sought to amend the sum claimed to £17046.35.
5. Intimation of the CMD was served on the Respondent by Sheriff Officers on 12 September 2024.

### **The Case Management Discussion**

6. A CMD was held by teleconference on 16 October 2024. The Applicant was represented by Mr Paul Clark from the Applicant's representatives. The Respondent did not attend nor was he represented. The Tribunal being satisfied that proper intimation had been given to the Respondent determined to proceed in his absence.
7. Mr Clark advised the Tribunal that the rent arrears had continued to increase but he accepted that the sum claimed could not be amended beyond that claimed in his email of 4 September namely £17046.35. The Tribunal allowed the sum claimed to be increased to £17046.35 and asked the Tribunal to grant an order for payment in that amount.

### **Findings in Fact**

8. The Respondent owed rent of £17046.35 as at 4 September 2024 and this amount was still outstanding at the date of the CMD.

### **Reasons for Decision**

9. 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 £17046.35.00.

### **Decision**

10. The Tribunal finds the applicant entitled to an order for payment by the Respondent to the Applicant in the sum of £17046.35.

## **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.**

Graham Harding

**Graham Harding  
Legal Member/Chair**

**16 October 2024  
Date**