



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 16 of the Housing (Scotland)
Act 2014**

Chamber Ref: FTS/HPC/CV/24/1302

Re: Property at 39 Elm Grove, Alloa, FK10 1BG (“the Property”)

Parties:

**Kingdom Initiatives Limited, Saltire Centre, Pentland Court, Glenrothes, KY6
2DA (“the Applicant”)**

Miss Shannon Young, 39 Elm Grove, Alloa, FK10 1BG (“the Respondent”)

Tribunal Members:

Alison Kelly (Legal Member) and Gerard Darroch (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 should be made.**

Background

1. On 19th March 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 Agreement showing a commencement date of 11th February 2022 and a rent of £489.77 per month, rising to £504.46 per month;
 - b. Rent statement showing arrears of £5122 as at 1st March 2024;

3. The Application was served on the Respondent by Sheriff Officers on 16th August 2024.
4. On 27th August 2024 the Applicant's solicitor lodged an up to date rent statement showing rent arrears of £7684.66.

Case Management Discussion

5. The Case Management Discussion ("CMD") took place by teleconference. The Applicant was represented by Miss Callaghan of TC Young, Solicitors. There was no attendance by the Respondent or any representative on her behalf.
6. The Chairperson confirmed the purposes of a CMD in terms of Rule 17 of the Rules.
7. Miss Callaghan asked that an order be granted for payment, in the amended amount of £7684.66, being the sum due as shown on the rent statement and being the arrears due as at 2nd August 2024. She also sought interest at the rate of 8%. There was no contractual provision for interest. 8% is above the current lending rate and the Tribunal decided that 3% was a fairer amount.

Findings in Fact

- i. The parties entered in to a tenancy agreement for rent of the property;
- ii. The rent was £489.77 per month, rising to £504.46 per month;
- iii. At 2nd August 2024 the rent arrears owed were £7684.66.

Reasons for Decision

The Respondent owes rent to the Applicant in the amount of £7684.66.

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.

A. Kelly

16 September 2024

Legal Member/Chair

Date

