



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/24/2019

Re: Property at 24 Kelly Street, Flat 3/2, Greenock, PA16 8LA (“the Property”)

Parties:

Trianon Solution LTD, Company, c/o Edge Tax, B2 Vantage Office Park, Old Gloucester Road, Hambrook, Bristol, BS16 1GW (“the Applicant”)

Mr Patrick Beckett, UNKNOWN, UNKNOWN (“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 £3300.00.

1. By application dated 2 May 2024 the Applicant’s representatives, Corbett & Shields, Letting Agents, Greenock applied to the Tribunal for an order for payment in respect of alleged rent arrears and other costs 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 22 May 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 Advertisement on the Housing and Property Chamber website as his present address is unknown, conform to Certificate of Advertisement dated 9 October 2024. on 19 December 2022.

4. By emails dated 2 and 12 September 2024 the Applicant's representatives submitted further written representations and sought to increase the sum claimed to £3300.00.

The Case Management Discussion

5. A CMD was held by teleconference on 9 October 2024. The Applicant was represented by Miss Annette Westin 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.
6. Miss Westin advised the Tribunal that the rent arrears amounted to £1650.00. She explained that prior to February 2023 the Applicant's representatives had operated a different ledger system (Pay-prop) and arrears on this account amounted to £1050.00, The arrears on the new system from February 2023 to the end of the tenancy amounted to £600.00. Miss Westin went on to say that following the end of the tenancy repairs to the property cost £1650.00 and referred the Tribunal to the documents submitted with the email of 2 September 2024. Miss Westin asked the Tribunal to allow the sum claimed to be amended to £3300.00 and to grant an order for payment in that amount.

Findings in Fact

7. The Respondent owed rent and other sums to the Respondent of £3300.00 in respect of his tenancy of the property and this amount was still outstanding at the date of the CMD.

Reasons for Decision

8. 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 £3300.00.

Decision

9. The Tribunal finds the Applicant entitled to an order for payment by the Respondent to the Applicant in the sum of £3300.00.

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.

**Graham Harding
Legal Member/Chair**



**9 October 2024
Date**