



**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/24/3138**

**Re: Property at 16 Flloyd Street, Coatbridge, ML5 1PT (“the Property”)**

**Parties:**

**George Wilson Property Limited, 40 Carlton Place, Glasgow (“the Applicant”)**

**Mr Brian Foster, 16 Flloyd Street, Coatbridge, ML5 1PT (“the Respondent”)**

**Tribunal Members:**

**Andrew McLaughlin (Legal Member) and Angus Lamont (Ordinary Member)**

**[1] The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) made a Payment Order in favour of the Applicant against the Respondent in the sum of £7,221.00.**

**Background**

[2] The Applicant seeks a Payment Order in respect of rent arrears said to have been accrued by the Respondent under a tenancy between the parties.

[3] The Application is accompanied by a copy of the tenancy agreement and rent statements.

**Case Management Discussion**

[4] The Application called for a Case Management Discussion (CMD) by conference call at 2pm on 12 November 2024. The Applicant was represented by Ms Barclay, of Happy Lets. There was no appearance by or on behalf of the Respondent. The Application called for a Case Management Discussion (“CMD”) by conference call at 2pm on 12

November 2024. The Respondent was not in attendance. The Respondent had received intimation of the Application and information about how to join the conference call by Sheriff Officers. The Tribunal therefore decided to proceed in the absence of the Respondent.

[5] Having heard from Ms Barclay and having considered the Application and accompany documentation, the Tribunal made the following findings in fact.

### **Findings in fact**

- I. *The Parties entered into a tenancy agreement in terms of which the Applicant let the Property to the Respondent;*
- II. *The Respondent has fallen into rent arrears and last paid any rent in June 2023.*
- III. *The sum of £7,221,00 is resting owed as arrears of rent by the Respondent to the Applicant.*

### **Decision**

[5] Having made the above findings in fact, the Tribunal granted the Application and made a Payment Order in favour of the Applicant against the Respondent in the sum of £7,221.00.

### **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.**

**Andrew McLaughlin**

**Legal Member/Chair**

12 November 2024

**Date**