



**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/24/2211**

**Re: Property at 1/3 47 NEILSTON RD, PAISLEY, PA2 6LY (“the Property”)**

**Parties:**

**Chun Hei Lai, 2801 Kam Hei House, Kam Hei Court, Hong Kong (“the Applicant”)**

**Mr Ryan Stewart, 1/3 47 NEILSTON RD, PAISLEY, PA2 6LY (“the Respondent”)**

**Tribunal Members:**

**Mary-Claire Kelly (Legal Member)**

**Decision (in absence of the Respondent)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined to grant an order for payment in the sum of NINE HUNDRED AND NINETY POUNDS (£990.00)**

**Background**

1. By application dated 14 May 2024 the applicant seeks an order for payment in the sum of £990 in respect of rent arrears.
2. The applicant lodged the following documents with the application:
  - Copy tenancy agreement
  - Rent accounts

**Case management discussion (“cmd”) – teleconference – 24 October 2024**

3. The applicant was represented by Mr Reynolds, Director, Smart Moves Estate Agents. The respondent was not present or represented. The Tribunal was

satisfied that the respondent had received proper notice of the cmd and proceeded with the cmd in their absence in terms of rule 29.

4. The applicant's representative sought an order for payment in the sum of £990. The lease which had been lodged had a commencement date of 3 May 2022 and showed that the monthly rent due was £495. Rent accounts had been lodged which spanned the period May 2023 to May 2024. These showed the rent arrears as at 3 May 2024 amounted to £990.
5. Mr Reynolds stated that no payments had been made by the respondent since March 2024 and the outstanding arrears figure continued to rise.

### **Findings in fact**

6. Parties entered into a tenancy agreement with a commencement date of 3 May 2022.
7. Monthly rent due in terms of the agreement is £495.
8. Arrears as at 3 May 2024 amounted to £990.
9. The respondent has not made any payments towards the rent or arrears since March 2024.

### **Reasons for the decision**

10. The Tribunal had regard to the application and the documents lodged by the applicant and Mr Reynolds' submission at the cmd.
11. The Tribunal took into account that the respondent had not lodged any defence to the application or disputed the sum sought in any way.
12. The Tribunal was satisfied that arrears in the amount of £990 were lawfully due as at the date of the cmd.

### **Decision**

The Tribunal determined to grant an order for payment in the sum of £990.

## 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.

Mary-Claire Kelly

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Legal Member/Chair

24 October 2024

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Date