



**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/24/2492

**Re: Property at Flat 1/1 Forganhall Court, Bainsford, Falkirk, FK2 7ZX (“the
Property”)**

Parties:

**LAR housing Trust, Buchan House, Carnegie Campus, Enterprise Way,
Dunfermline, KY11 8PL (“the Applicants”)**

**Ms Michaela McCafferty, 24 Kennedy Way, Airth, Falkirk, FK2 8GB (“the
Respondent”)**

Tribunal Members:

George Clark (Legal Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that the application should be decided without a Hearing
and made an Order against the Respondent for payment to the Applicant of the
sum of £551.39.**

Background

1. By application, dated 31 May 2024, the Applicants sought an Order for Payment in respect of unpaid rent that had become lawfully due by the Respondent to the Applicant. The sum sought was £551.39.
2. The application was accompanied by a copy of a Private Residential Tenancy Agreement between the Parties, commencing on 6 September 2021 at a monthly rent of £490, and a Rent Statement showing arrears as at 11 April 2023 of £551.39. This represented the closing balance on the rental account, the Respondent having vacated the Property on 28 February 2023. The rent had been increased to £504.70 with effect from 1 May 2022.

3. On 20 September 2024, the Tribunal advised the Parties of the date and time of a Case Management Discussion, and the Respondent was invited to make written representations by 11 October 2024. The Respondent did not make any written representations to the Tribunal.

Case Management Discussion

4. A Case Management Discussion was held by means of a telephone conference call on the afternoon of 29 October 2024. The Applicants were represented by Mrs Jacqueline Macdonald. The Respondent was not present or represented.
5. The Applicants' representative told the Tribunal that no payments of rent had been received since the date of the application.

Reasons for Decision

6. Rule 17 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 provides that the Tribunal may do anything at a Case Management Discussion which it may do at a Hearing, including making a Decision. The Tribunal was satisfied that it had before it all the information and documentation it required to enable it to decide the application without a Hearing.
7. The Tribunal was satisfied that the sum sought in the application had become lawfully due by the Respondent to the Applicants.

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.

George Clark

Legal Member/Chair

29 October 2024
Date