



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 of the Private Housing (Tenancies)(Scotland) Act 2016

Chamber Ref: FTS/HPC/CV/24/1597

Re: Property at 2 Old Stable Row, Coatbridge, ML5 3ND (“the Property”)

Parties:

Mr Gurcharan Sahajpal, Mrs Sushma Sahajpal, Hilkiyah, Hedgerow, Chalfont St. Peter, Bucks, SL9 0HD (“the Applicants”)

Ms Angie Cairney, Mr Gerard Mallon, UNKNOWN, UNKNOWN (“the Respondents”)

Tribunal Members:

Alison Kelly (Legal Member)

Decision (in absence of the Respondents)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment should be made.

Background

1. On 8th April 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 commencing 18th December 2017 and showing a rent of £575 per month
 - b. Rent Statement showing arrears of £9295 as at March 2024

3. On 29th April 2024 the Applicant's agent emailed the Tribunal to confirm that Respondent had vacated the property.
4. Service By Advertisement was allowed as the Respondents had vacated the property and Sheriff Officers were unable to trace them.
5. On 10th October 2024 the Applicant's agent lodged an up to date rent statement showing that the deposit had been returned to the Applicant and the arrears to the end of the tenancy stood at £8871.23.
6. The Tribunal produced a Certificate of Advertisement dated 14th October 2024.

Case Management Discussion

7. The Case Management Discussion ("CMD") took place on 14th October 2024 by teleconference. The Applicant was represented by Miss Brechany of TC Young, Solicitors. The Respondents did not attend and were not represented.
8. The Chairperson confirmed the purposes of a CMD in terms of Rule 17 of the Rules.
9. Miss Brechany asked that an order be granted for payment, in the amount of £8871.23, being the sum due as shown on the rent statement and being the arrears due as at the end of the tenancy.

Findings in Fact

- i. The parties entered in to a tenancy agreement for rent of the property;
- ii. The monthly rent was £575;
- iii. At the end of the tenancy the rent arrears owed were £8871.23.

Reasons for Decision

10. The Respondents owe rent to the Applicants in the amount of £8871.23.

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.

Alison Kelly

**Alison Kelly
Legal Member/Chair**

**14 October 2024
Date**