



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/24/1278

Re: Property at 30 Mayfield Road, Hamilton, ML3 9LN (“the Property”)

Parties:

Chap Properties Ltd, 2 Boyd Drive, Motherwell, ML1 3HX (“the Applicant”)

Mr Scott Muir, Flat 10, Press Court, Hamilton, ML3 6AS (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal 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 £5,883.40.

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 10:00 AM on 21 November 2024. The Applicant was represented by Mr Gildea, Solicitor. There was no appearance by or on behalf of the Respondent. 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 the Applicant and having considered the whole facts and circumstances of the case, 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 accrued rent arrears of £5,883.40 and this sum is resting owed to the Applicant by the Respondent.*

Decision

[6] Having made the above findings in fact, the Tribunal granted the Application and made a Payment Order in favour of the Applicant against the Respondents in the sum of £5,883.40.

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

21 November 2024

Date