



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 14 of the Housing (Scotland)
Act 2014**

Chamber Ref: FTS/HPC/CV/24/2627

**Re: Property at 2 Mains of Keithfield Cottages, Methlick, Ellon, AB41 7HJ (“the
Property”)**

Parties:

**The Most Honourable George Ian Alastair Aberdeen, 8th Marquess Aberdeen
and Temair, The Estate Office, Mains of Haddo, Tarves, Ellon, AB41 7LD (“the
Applicant”)**

Mr Lewis James Taylor, UNKNOWN, UNKNOWN (“the Respondent”)

Tribunal Members:

Nicola Irvine (Legal Member) and Elizabeth Williams (Ordinary Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) granted an Order for Payment against the Respondent in favour of
the Applicant in the sum of £6,511.**

Background

1. The Applicant submitted an application under Rule 70 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the Rules”). The Applicant sought an order for payment in the sum of £6,511 in respect of arrears said to have been incurred by the Respondent.
2. A Convenor of the Housing and Property Chamber (“HPC”) having delegated power for the purpose, referred the application under Rule 9 of the Rules to a case management discussion (“CMD”).
3. The Tribunal assigned a CMD to take place by conference call on 14 November 2024 at 10am. The Tribunal served notice of that CMD on the Respondent by advertisement on the Housing and Property Chamber website on 9 October 2024.

The case management discussion – 14 November 2024

4. This case called alongside a related case which proceeds under chamber reference FTS/HPC/EV/24/2625. The CMD took place by conference call. The Applicant was represented by Mrs Emily Telford. The Respondent did not join the conference call, and the discussion proceeded in his absence. The Tribunal explained the purpose of the CMD. The Applicant's representative explained that the contractual rent increased to £365.50 with effect from 1 July 2023. The rent arrears had increased since the application was submitted. However, the Tribunal explained that there has been no application to increase the sum sought and therefore no notice given to the Respondent that an increased sum would be sought. The rent arrears due by the Respondent as at 1 June 2024 amounted to £6,511 and an order for payment was sought in that sum.

Findings in Fact

5. The Applicant is the landlord of the Property at 2 Mains of Keithfield Cottages, Methlick, Ellon, AB41 7HJ
6. The Respondent is the tenant of the Property.
7. The tenancy in question is a short assured tenancy which commenced on 1 December 2012.
8. The contractual monthly rent was £365.50, payable in advance.
9. The Respondent owes rent arrears of £6,511 for the period to 1 June 2024.

Reason for Decision

10. The Tribunal proceeded on the basis of the documents lodged, and the submissions made at the CMD. The rent statement lodged demonstrated that there are significant arrears of rent due. There was no information before the Tribunal to suggest that the Respondent disputed the accuracy of the rent statement. The Tribunal was satisfied on the basis of the documentary evidence produced and the submissions made at the CMD that Respondent owes the sum of £6,511 for the period to 1 June 2024. Accordingly an order for payment in that sum was granted.

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.

Nicola Irvine

Legal Member/Chair

14 November 2024

Date