



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 51 (1) of the Private Housing (Tenancies) (Scotland) Act 2016

Chamber Ref: FTS/HPC/CV/24/0899

Re: Property at 5 Booth Gardens, Blackdog, Aberdeenshire, AB23 8LW (“the Property”)

Parties:

Hillcrest Enterprises Limited, 1 Explorer Road, Dundee Technology Park, Dundee, DD2 1EG (“the Applicant”)

Ms Megan Isobella Adie, 5 Booth Gardens, Blackdog, Aberdeenshire, AB23 8LW (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal Member) and Elizabeth Williams (Ordinary Member)

Decision (in absence of the Respondent)

[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 £17,931.85 with interest on that sum at the rate of 4 per cent per year from today’s date until payment.

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 am on 16 January 2025. The Applicant was represented by Mr Adams, 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's representative and considered the whole facts and circumstances of the case, the Tribunal made the following findings in fact.

Findings in fact

- 1) *The Parties entered into a tenancy agreement in terms of which the Applicant let the Property to the Respondent;*
- 2) *The tenant has accrued rent arrears of £17,931.85 and these sums are resting owed to the Applicant by the Respondent.*

Decision

[5] Having made the above findings in fact, the Tribunal granted the Application and made a Payment Order in favour of the Applicant against the Respondent in the sum of £ 17,931.85 with an award of interest at the rate of 4 per cent per year from today's date until payment.

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.

A.McLaughlin

Legal Member/Chair

16 January 2025
Date