



**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/24/1868**

**Re: Property at 7 John Knox Court, Aberdeen, AB24 3LF (“the Property”)**

**Parties:**

**DRUM INVESTMENTS LTD, 12 Rubislaw Terrace Lane, Aberdeen, AB10 1XF (“the Applicant”)**

**Mr Paul Barclay, UNKNOWN, UNKNOWN (“the Respondent”)**

**Tribunal Members:**

**Richard Mill (Legal Member)**

**Decision (in absence of the Respondent)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order be granted against the Respondent for payment to the Applicant of three thousand and fifty pounds and eighty pence (£3,050.80)**

**Introduction**

This is an application under rule 111 and section 71 of the Private Housing (Tenancies) (Scotland) Act 2016.

The current whereabouts of the respondent are unknown. Intimation of the Case Management Discussion (‘CMD’) and service of the application was published on the Chamber website in terms of the Rules for the required period. Lawful service has taken place.

The CMD took place by teleconference on 4 February 2025 at 10.00 am. The applicant was represented by Ms Anne-Marie Morrice of the applicant company. The respondent failed to participate in the hearing.

## Findings and Reasons

The property is 7 John Knox Court, Aberdeen AB24 3LF. The applicant is Drum Investments Ltd who are the heritable proprietor and registered landlord. The respondent is Mr Paul Barclay who is the former tenant. The parties entered into a private residential tenancy which commenced on 1 April 2021. The respondent vacated the property on 30 April 2024

Throughout the duration of the tenancy the respondent fell into arrears of the contractual rental payments. The outstanding rent at that time was £1,990. The application is supported by a detailed account statement disclosing the sums of rent which fell due and the monies received.

The applicant also seeks to recover the costs of replacing the front door in the sum of £1,060.80. This was damaged beyond repair in the course of a Police raid. A relevant invoice has been provided to evidence this charge.

The tribunal found all of the unchallenged documentary evidence credible and reliable and attached weight to it. The applicant is entitled to recover arrears of rent and other charges under and in terms of the lease. These total £3,050.80. The respondent has failed to make payment of the sums due. The respondent has not opposed the application and has made no application for a time to pay direction. A payment order is necessary.

## **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.**

# R Mill

4 February 2025

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Legal Member/Chair

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Date