

**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 16 of the Housing (Scotland)
Act 2014**

Chamber Ref: FTS/HPC/CV/24/2738

Re: Property at 1E Dunnachie Drive, Coatbridge, ML5 5SB (“the Property”)

Parties:

**Mr Robert Slavin, 113 Kirkwood Place, Strawberry Fields, Coatbridge, ML5 5LG
 (“the Applicant”)**

**Mr John Paul Cushley, Miss Tracey Rafferty, 10 Crinan Crescent, Townhead,
Coatbridge, ML5 2LG (“the Respondents”)**

Tribunal Members:

Nairn Young (Legal Member)

Decision (in absence of the Respondents)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that**

- Background

This is an application for an order for payment of rent arrears alleged to be owed by the Respondents in terms of their short assured tenancy agreement with the Applicant. It called for a case management discussion (‘CMD’) at 10am on 10 February 2025, by teleconference. The Applicant was represented on the call by Mr Paul Clark, of Aquila Management Services Ltd.. The Respondents were not on the call and were not represented. The commencement of the CMD was delayed by 10 minutes, in case of any technical difficulty; but there remained no contact from them.

Notice of the application and CMD was served on the Respondents by sheriff officers on 12 December 2024. The Tribunal was satisfied that they were aware of the CMD, but had chosen not to attend or oppose the application, and proceeded on that basis.

- Findings in Fact

The following facts from the application were relied on by the Tribunal, as unopposed:

1. The Respondents entered into a short assured tenancy agreement with the Applicant in respect of the Property, with an initial term of 6 months running from 25 May 2018.
2. In terms of that agreement, rent of £525 was due each month.
3. The tenancy ran on after the initial term by tacit relocation, until it was terminated on 25 March 2022.
4. At the date of termination, the Respondents owed £4,775 in rent.
5. On 7 April 2022, the Applicant received £2,550 from the Tenant Grant Fund towards these arrears.
6. The short assured tenancy was immediately succeeded by a private residential tenancy which ran from 25 March 2022 to 27 July 2023.
7. On termination of the private residential tenancy, the Respondents were in credit in respect of their rent balance, to the sum of £356.63.
8. No other payment has been made by the Respondents towards the outstanding arrears from the short assured tenancy.

- Reasons for Decision

The Respondents owe the sum sought in the application to the Applicant, being £1,868.37. This is composed of the £2,225 that remained outstanding from their first tenancy, after the payment received from the Tenant Grant Fund, offset by the £356.63 credit that was left in their account from their second tenancy. An order for payment of the sum sought should therefore be made.

- Decision

Order made for payment by the Respondents to the Applicant of the sum of ONE THOUSAND, EIGHT HUNDRED AND SIXTY-EIGHT POUNDS AND THIRTY-SEVEN PENCE STERLING (£1,868.37).

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.

Nairn Young

Legal Member/Chair

Date 10th February 2025