

**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/PR/24/1515**

**Re: Property at 1 The Old Waterhouse, 35 Old Largs Road, Greenock, PA16 9AR  
("the Property")**

**Parties:**

**Mr Alexander Ewing, 12 Caddlehill Street, Greenock, PA16 8TU  
("the Applicant")**

**Ms Michelle Brandt, whose present whereabouts are to the Applicant unknown  
("the Respondent")**

**Tribunal Members:**

**Gillian Buchanan (Legal Member)**

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

At the Case Management Discussion ("CMD"), which took place by telephone conference on 3 February 2025, the Applicant was present. The Respondent was neither present nor represented and had lodged no written representations.

The tribunal was satisfied that the requirements of Rule 24(1) of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 ("the Rules") had been satisfied relative to the Respondent having received notice of the CMD and determined to proceed in the absence of the Respondent in terms of Rule 29.

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

**Background**

The Tribunal noted the following background:-

- i. The Applicant is the heritable proprietor of the Property.
- ii. The Applicant leased the Property to the Respondent in terms of a Private Residential Tenancy Agreement ("the PRT") that commenced on 3 January 2022.
- iii. The rent payable in terms of the PRT was £850 per calendar month.
- iv. The rent arrears said to be due in terms of the application are £13,600.

### **The CMD**

At the CMD the Applicant made the following representations:-

- i. The PRT ended following the grant of an eviction order by the Tribunal.
- ii. The Respondent was subsequently evicted.
- iii. The amount claimed reflects 16 months of arrears due to the date upon which the Applicant recovered possession of the Property.
- iv. The Applicant seeks a payment order.

### **Findings in Fact**

- i. The Applicant leased the Property to the Respondent in terms of the PRT.
- ii. The rent payable in terms of the PRT was £850 per calendar month.
- iii. The rent arrears outstanding and due by the Respondent to the Applicant are £13,600 accrued to the date upon which the Applicant recovered possession of the Property following the grant of an eviction order.

### **Reasons for Decision**

The Respondent did not submit any representations to the Tribunal and did not attend the CMD. The factual background narrated by the Applicant within the application papers and orally by the Applicant at the CMD was not challenged and was accepted by the Tribunal.

The Tribunal determined that the unpaid rent outstanding and due by the Respondent to the Applicant is £13,600.

### **Decision**

The Tribunal granted a payment order in favour of the Applicant in a sum of £13,600.

### **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.**

Gillian Buchanan

**Legal Member/Chair**

**Date 3 Feb 2025**