



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71(1) of the Private Housing (Tenancies) (Scotland) Act 2016**

**Chamber Ref: FTS/HPC/CV/23/4703**

**Re: Property at Flat 1/2, 13 Gael Street, Greenock, PA16 7JJ (“the Property”)**

**Parties:**

**Ms Melody Bennett, Milton House, 33a Milton Road, Hampton, Middlesex, TW12 2LL (“the Applicant”)**

**Mr Jamie Pacitti, Unknown, Unknown (“the Respondent”)**

**Tribunal Members:**

**Graham Harding (Legal Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Applicant was entitled to an order for payment by the Respondent to the Applicant in the sum of £4850.00.**

**Background**

1. By application dated 28 December 2023 the Applicant’s representatives, Corbett & Shields, Greenock, applied to the Tribunal for an order for payment in respect of alleged rent arrears arising from the Respondent’s tenancy of the property. The Applicants submitted a copy of the tenancy agreement together with a rent statement in support of the application.
2. Following further correspondence between the Applicant’s representatives and the Tribunal administration the sum claimed was increased to £4850.00.
3. By Notice of Acceptance dated 20 May 2024 a legal member of the Tribunal with delegated powers accepted the application and a Case Management Discussion (“CMD”) was assigned.

4. Intimation of the CMD was served on the Respondent by way of advertisement on the Housing and Property Chamber website conform to Certificate of Advertisement dated 6 March 2025 as the Respondent could not be traced.

### **The Case Management Discussion**

5. A CMD was held by teleconference on 6 March 2025. The Applicant was represented by Miss Annette Weston of the Applicant's representatives. The Respondent did not attend nor was he represented. The Tribunal being satisfied that proper intimation had been given to the Respondent determined to proceed in his absence.
6. Miss Weston advised the Tribunal that the rent arrears at the date the Respondent moved out of the property on 19 June 2024 amounted to £5323.63. Miss Weston accepted that the sum claimed had not been amended in accordance with the Tribunal rules and that in the circumstances the Tribunal could only award the sum previously claimed namely £4850.00 and asked the Tribunal to grant an order for payment in that amount.

### **Findings in Fact**

7. The Respondent owed rent of £4850.00 as at 19 April 2024 and this amount was still outstanding at the date of the CMD.

### **Reasons for Decision**

8. The Tribunal was satisfied from the written representations and documents submitted by the Applicant's representatives together with the oral submissions that the Applicant was entitled to an order for payment by the Respondent in the sum of £4850.00.

### **Decision**

9. The Tribunal finds the applicant entitled to an order for payment by the Respondent to the Applicant in the sum of £4850.00.

### **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.**

**Graham Harding  
Legal Member/Chair**

**6 March 2025  
Date**